

EXHIBIT E



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**Transcript of the Testimony of
Bryan Butcher**

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10/15/2019

<p style="text-align: right;">Page 25</p> <p>1 at some point I would have been made aware.</p> <p>2 Q. Did you ever have any discussions with anybody in</p> <p>3 Labor Relations Department about Mr. Mullins and Miss</p> <p>4 Perry calling the harassment hotline in September of</p> <p>5 2017 or just calling the harassment hotline in</p> <p>6 general?</p> <p>7 A. It's typical at our Labor meetings that we would</p> <p>8 discuss hotline calls.</p> <p>9 Q. From your testimony, fair to say nothing stands out in</p> <p>10 your mind that's significant that you can recall?</p> <p>11 A. No significance, but we would have discussed any</p> <p>12 hotline call that was fielded by the Labor Office.</p> <p>13 Q. The first encounter you had with Mr. Mullins in August</p> <p>14 or September of 2017, did you write any sort of</p> <p>15 memorandum of that interaction that you can recall?</p> <p>16 A. No, no.</p> <p>17 Q. Okay. Going forward from there what was the next</p> <p>18 interaction that you had with Mr. Mullins?</p> <p>19 A. He showed up in what I'm pretty sure was the month of</p> <p>20 September.</p> <p>21 Q. And what was that interaction about?</p> <p>22 A. He was requesting to be moved.</p> <p>23 Q. And Mr. Mullins at this time, was he still driving a</p> <p>24 hi-lo, if you recall?</p> <p>25 A. It's my recollection that the entire time I had first</p>	<p style="text-align: right;">Page 27</p> <p>1 a memory contest.</p> <p>2 A. Yes. To the best of my recollection, the three</p> <p>3 managers would have been Jeff Case, Gino Vespa, and</p> <p>4 Darryl Rinehart. That would cover the three crews.</p> <p>5 Q. I think I remember seeing somewhere that Mr. Rinehart</p> <p>6 was the operations manager on Mr. Mullins' shift.</p> <p>7 When you said his name, it rang a bell.</p> <p>8 Regardless, did you ever have any</p> <p>9 discussions with any of the operations managers about</p> <p>10 whether Mr. Mullins could be moved?</p> <p>11 A. This second encounter you're talking about or ever?</p> <p>12 Q. Let's kind of go through this. He comes into Labor.</p> <p>13 He asks you if he can be moved. He wants to be moved,</p> <p>14 correct?</p> <p>15 A. Uh-huh.</p> <p>16 Q. Is that yes?</p> <p>17 A. Sorry, yes.</p> <p>18 Q. And you tell him I can't do that, we can't move</p> <p>19 manpower, is that fair?</p> <p>20 A. Yes.</p> <p>21 Q. Okay. After that meeting did you have a conversation</p> <p>22 with anybody in Labor or operations manager, somebody</p> <p>23 on the operations side, whether it was possible for</p> <p>24 Mr. Mullins to be moved?</p> <p>25 A. Karmel Bramlett, a production supervisor, came to the</p>
<p style="text-align: right;">Page 26</p> <p>1 encountered Mr. Mullins he was no longer on the hi-lo.</p> <p>2 He had already been removed before I ever engaged with</p> <p>3 him.</p> <p>4 Q. Got it. So he just wanted to be what, moved to a</p> <p>5 different part of the plant?</p> <p>6 A. Correct.</p> <p>7 Q. And is that something that Labor Relations could have</p> <p>8 accomplished?</p> <p>9 A. Labor Relations does not move manpower.</p> <p>10 Q. Is that just a blanket sort of black-and-white rule?</p> <p>11 A. Yes. That's a task that's left up to the operations</p> <p>12 managers.</p> <p>13 Q. And who was the operations manager at that time who</p> <p>14 would have had the oversight of Mr. Mullins?</p> <p>15 A. I don't have in front of me his shift that he would</p> <p>16 have worked to understand that.</p> <p>17 Q. How many operations managers were there?</p> <p>18 A. There would be three.</p> <p>19 Q. Okay. And who were those three individuals?</p> <p>20 MR. DAVIS: Object to the form, time frame.</p> <p>21 BY MR. LAURILA:</p> <p>22 Q. We're talking about when he was in your office or</p> <p>23 wherever you spoke with him asking to be moved,</p> <p>24 whoever those operations managers were.</p> <p>25 If you don't remember, it's okay. It's not</p>	<p style="text-align: right;">Page 28</p> <p>1 Labor Relations office.</p> <p>2 Q. That same --</p> <p>3 A. Day shift, day.</p> <p>4 Q. And what was that about?</p> <p>5 A. It was because Mr. Mullins had been absent from the</p> <p>6 job for so long. And to my recollection she was</p> <p>7 following up as to what was going on, taking place.</p> <p>8 Q. Okay. And so did you have a discussion with Karmel</p> <p>9 Bramlett about whether he could be moved?</p> <p>10 A. Yes.</p> <p>11 Q. And is Karmel a man or woman? Sorry.</p> <p>12 A. Karmel Bramlett, female. Yes, female.</p> <p>13 Q. And you had a discussion with her about whether he</p> <p>14 could be moved?</p> <p>15 A. Yes.</p> <p>16 Q. And what did she tell you?</p> <p>17 A. She made an agreement with UAW official Chris Sanders</p> <p>18 to move him for the day. My part in that was I'm not</p> <p>19 going to get involved in moving her manpower, as that</p> <p>20 wouldn't be fair. That's not something that we can</p> <p>21 control. She has to run her floor. So she made that</p> <p>22 decision with UAW official Chris Sanders from there.</p> <p>23 Q. Was the conversation that you had with her, her</p> <p>24 letting you know this is what I'm doing or --</p> <p>25 A. The conversation was me letting her know I'm not</p>

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<p style="text-align: right;">Page 29</p> <p>1 getting involved with moving the manpower. If you 2 make any sort of move, it's your decision. I'm not 3 going to stand here and tell you one way or another. 4 Q. You said that Mr. Mullins had been absent for a while. 5 Was this -- had he just returned back to work? 6 A. Don't specifically recall, but I do believe that to be 7 the case. 8 Q. Okay. Mr. Mullins was off on -- I'm just going to 9 call it medical leaves for a couple periods of time in 10 2017, correct? 11 A. I can't be specific about that without having the 12 information before me. 13 Q. Sure. 14 A. But I do know that he was off on medical at various 15 times. 16 Q. Okay. So as far as you know, Mr. Mullins was moved by 17 Karmel Bramlett for one day, at least one day, is that 18 fair? 19 A. Correct. That's what I recall. 20 Q. Okay. Anything else about that September 2017 21 encounter with Mr. Mullins where he was asking you to 22 be moved that we haven't discussed yet? Any other 23 follow-ups you had with anyone else about it? 24 A. Just those two people, Karmel and Chris Sanders from 25 the union side and the management side.</p>	<p style="text-align: right;">Page 31</p> <p>1 A. I recall the name is Shavonda. And I don't recall if 2 he mentioned Crystal on this date or not. But I want 3 to say he mentioned Shavonda, Crystal, and a Kimmy. 4 Q. And we're going to look at the document in a minute. 5 I just want to get an understanding of this process. 6 On January 26th, did Mr. Mullins come into 7 the Labor Relations Department offices kind of as a 8 walk-in in the way that you previously described? 9 A. Correct. 10 Q. How did the investigatory interview come about? Was 11 that a decision that you made? 12 A. Yes. 13 Q. And what is the trigger for that as far as when you're 14 going to make a formal or conduct a formal 15 investigatory interview? 16 A. So the trigger then was he claimed to have a new 17 encounter that was creating the negative environment 18 he explained. 19 Q. Just so we're clear, he said or he claimed that there 20 was new harassment that had just recently occurred? 21 A. Correct. 22 Q. And why did that allegation trigger an investigatory 23 interview? Is that company policy that one has to be 24 conducted? 25 A. It's in our best interest. It's company policy that</p>
<p style="text-align: right;">Page 30</p> <p>1 Q. Okay. And as far as moving manpower goes, that's the 2 general way that needs to be or it has to be done, is 3 that fair? 4 A. Correct. 5 Q. Okay. What about continuing on forward, the next 6 encounter you had with Mr. Mullins? 7 A. My recollection, the next encounter with Mr. Mullins 8 would have been 1-26 of '18. 9 Q. In that encounter you conducted an investigatory 10 interview with him? 11 A. Correct. 12 Q. And is that a term investigatory interview like a 13 formal Ford process? 14 A. Yes. 15 Q. Is there a specific manner in which those are supposed 16 to be conducted that's dictated by company policy? 17 A. There's templates to try and follow. 18 Q. Okay. What do you remember about that January 26th, 19 2018 encounter? 20 A. Specifically wanted to be moved again. 21 Q. Do you recall why? 22 A. Yes. He gave an account of being harassed, 23 threatened, as I recall. 24 Q. Do you recall who he was being or who he claimed he 25 was being harassed or threatened by?</p>	<p style="text-align: right;">Page 32</p> <p>1 it would be in our best interest to capture this new 2 event. 3 Q. And the investigatory interview process is the way to 4 go about capturing that event? 5 A. Correct. 6 MR. LAURILA: I'm going to mark this as 7 Exhibit 1, please. 8 MARKED BY THE REPORTER: 9 DEPOSITION EXHIBIT 1 10 11:49 a.m. 11 BY MR. LAURILA: 12 Q. Mr. Butcher, I'm going to hand you what we just marked 13 as Exhibit 1, which is the January 26th, 2018 14 investigatory interview that we have been speaking 15 about. If you would please take a second, you can 16 read through it to yourself. You don't need to read 17 it out loud, but just let me know when you're done 18 looking at it. 19 A. Complete. 20 Q. Okay. Flipping to the last page of the exhibit, which 21 I'm going to refer to by the little bold Ford slash 22 Mullins 00998. That's the Bates numbering. Is that 23 your signature there in the middle line where it says 24 HR? 25 A. Correct.</p>

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<p style="text-align: right;">Page 37</p> <p>1 1st, 2018 discussion that Mr. Mullins had with Labor?</p> <p>2 A. Correct.</p> <p>3 Q. Okay. So the February 2nd, 2018 discussion that you</p> <p>4 had with him was your next encounter.</p> <p>5 Before we get into that one, going forward</p> <p>6 from there did you have any other meetings or</p> <p>7 discussions with Mr. Mullins from February 3rd, 2018</p> <p>8 going forward?</p> <p>9 A. From February 3rd, 2018 through current day, I had not</p> <p>10 had another interaction with Mr. Mullins that I recall</p> <p>11 as any significant event.</p> <p>12 Q. Okay. And on February 2nd, 2018 Mr. Mullins again</p> <p>13 came to Labor Relations as a walk-in?</p> <p>14 A. Correct.</p> <p>15 Q. And was this again at the very start of his shift?</p> <p>16 A. Correct.</p> <p>17 Q. In the time that you were at Dearborn Stamping with</p> <p>18 Mr. Mullins, is that modis operandi kind of consistent</p> <p>19 with how he would function where he would come to</p> <p>20 Labor at the beginning of his shift and make these</p> <p>21 complaints?</p> <p>22 MR. DAVIS: Object to form.</p> <p>23 BY MR. LAURILA:</p> <p>24 Q. As far as you know?</p> <p>25 A. I can only tell you what I know, the four encounters</p>	<p style="text-align: right;">Page 39</p> <p>1 A. The request was again made for Mr. Mullins' job</p> <p>2 assignment to be moved.</p> <p>3 Q. Was Mr. Mullins making that request or was Mr. Queen?</p> <p>4 A. I don't recall if it came out of Mr. Mullins' mouth,</p> <p>5 if it came out of Dan's mouth. But again, as we</p> <p>6 understand, Mr. Queen represents Mr. Mullins, so the</p> <p>7 request was made.</p> <p>8 Q. Okay. Did you again notify them that that was not</p> <p>9 something you could do?</p> <p>10 A. I did.</p> <p>11 Q. And did Mr. Mullins report additional harassment in</p> <p>12 that meeting?</p> <p>13 A. Not in that meeting, no.</p> <p>14 Q. Do you recall typing up another investigatory</p> <p>15 interview statement?</p> <p>16 A. On that day?</p> <p>17 Q. Yes.</p> <p>18 A. Yes.</p> <p>19 Q. And did it follow the same format as the last one</p> <p>20 where you typed the same questions and answers?</p> <p>21 A. Similar, but not exact, as each investigatory</p> <p>22 interview will have its own nuances.</p> <p>23 MR. LAURILA: Okay. Why don't we mark</p> <p>24 this, please, as Exhibit 2.</p> <p>25 MARKED BY THE REPORTER:</p>
<p style="text-align: right;">Page 38</p> <p>1 that we've just discussed.</p> <p>2 Q. Did that all fit that kind of pattern?</p> <p>3 A. That is how it happened.</p> <p>4 Q. So tell me about the February 2nd, 2018 incident. I</p> <p>5 mean, he came into Labor Relations again, asked to</p> <p>6 talk with you or somebody?</p> <p>7 A. Correct.</p> <p>8 Q. And sorry, were you -- did he ask to talk to you or</p> <p>9 did he just ask to talk to somebody and you happened</p> <p>10 to be available?</p> <p>11 A. He would have rang the bell or knocked on the door at</p> <p>12 that time. I can't recall if we had the bell</p> <p>13 installed or not, but he would have rang the bell or</p> <p>14 knocked on the door. And I would have answered. He</p> <p>15 showed up with his district committee rep, which at</p> <p>16 that time it was alternate Dan Queen.</p> <p>17 Q. And you had a discussion with Mr. Mullins and Mr.</p> <p>18 Queen?</p> <p>19 A. Correct.</p> <p>20 Q. Did that occur in your office?</p> <p>21 A. Correct.</p> <p>22 Q. Were Mr. Mullins and Mr. Queen both in your office</p> <p>23 together when that discussion started?</p> <p>24 A. Correct.</p> <p>25 Q. And what do you recall about that discussion?</p>	<p style="text-align: right;">Page 40</p> <p>1 DEPOSITION EXHIBIT 2</p> <p>2 12:05 p.m.</p> <p>3 BY MR. LAURILA:</p> <p>4 Q. I'm going to hand you what we marked as Exhibit 2. As</p> <p>5 with the last one, please take a look at it. I guess</p> <p>6 I should be clear. I attached both the investigatory</p> <p>7 interview document and then what I understand to be</p> <p>8 your statement pertaining to this encounter all as</p> <p>9 Exhibit 2.</p> <p>10 A. Okay. Complete.</p> <p>11 Q. Okay. And is what we just marked as Exhibit 2 the</p> <p>12 investigatory interview that you typed up during that</p> <p>13 February 2nd, 2018 encounter with Mr. Mullins and then</p> <p>14 also your statement?</p> <p>15 A. Yes.</p> <p>16 Q. Okay. The investigatory interview's unsigned. Did</p> <p>17 Mr. Mullins refuse to sign it?</p> <p>18 A. Yes.</p> <p>19 Q. And I also see there's no signature either for</p> <p>20 yourself or Mr. Queen. Why is that?</p> <p>21 A. We would only sign a completed and signed statement by</p> <p>22 the member.</p> <p>23 Q. Got it. So if the employee refuses to sign, no other</p> <p>24 signatures?</p> <p>25 A. There's no statement at that point.</p>

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<p style="text-align: right;">Page 41</p> <p>1 Q. Okay. Did you type up your statement yourself?</p> <p>2 A. I did.</p> <p>3 Q. And when did you do that?</p> <p>4 A. The same day.</p> <p>5 Q. Immediately afterwards or several hours later in the</p> <p>6 day?</p> <p>7 A. It was at least a few hours. I can't be exact, but it</p> <p>8 was at least a few hours after the event.</p> <p>9 Q. Why did you type up a statement about the event?</p> <p>10 A. Because I wanted on record what I seen and heard take</p> <p>11 place to the best of my recollection.</p> <p>12 Q. Did you talk with anybody in Labor Relations about</p> <p>13 this incident prior to typing your statement?</p> <p>14 A. Yes.</p> <p>15 Q. Who did you talk to?</p> <p>16 A. Maria Watson.</p> <p>17 Q. What did you talk to her about?</p> <p>18 A. The events that took place.</p> <p>19 Q. Do you recall what you said to her?</p> <p>20 A. Verbatim, no.</p> <p>21 Q. Generally?</p> <p>22 A. Generally, yes.</p> <p>23 Q. Did you call her to let her know what had happened?</p> <p>24 A. It is my recollection I attempted to call her that</p> <p>25 morning and I was unsuccessful. We were playing a bit</p>	<p style="text-align: right;">Page 43</p> <p>1 MR. LAURILA: Why don't you -- let's take a</p> <p>2 break. Tom, you said you wanted a break anyway.</p> <p>3 So while we're on a break, if you want to</p> <p>4 take your time to read through word-for-word and we</p> <p>5 can talk about it when we get back.</p> <p>6 (Off the record at 12:12 p.m.)</p> <p>7 (Back on the record at 12:25 p.m.)</p> <p>8 BY MR. LAURILA:</p> <p>9 Q. Mr. Butcher, during the break you had a chance to</p> <p>10 review your statement from February 2nd, 2018?</p> <p>11 A. Yes.</p> <p>12 Q. And is this statement accurate to the best of your</p> <p>13 recollection?</p> <p>14 A. Yes.</p> <p>15 Q. Is there anything about it sitting here today that you</p> <p>16 would want to change? Add, remove, anything like</p> <p>17 that?</p> <p>18 A. No.</p> <p>19 Q. You mentioned that during that day you were playing</p> <p>20 phone tag with Maria Watson. The end of the first</p> <p>21 paragraph on 881 and the very start of the second</p> <p>22 paragraph on the second page, is that referencing kind</p> <p>23 of that phone tag situation?</p> <p>24 You stated that Shine Joseph came into my</p> <p>25 office stating that our supervisor Maria Watson was</p>
<p style="text-align: right;">Page 42</p> <p>1 of phone tag.</p> <p>2 Q. Did you finally get ahold of her and recount what had</p> <p>3 happened in this incident?</p> <p>4 A. I believe not till she reported to the office is my</p> <p>5 first contact with her.</p> <p>6 Q. Got it. And did that occur before you wrote the</p> <p>7 statement?</p> <p>8 A. Yes.</p> <p>9 Q. Did she advise you to write the statement?</p> <p>10 A. Yes.</p> <p>11 Q. Did she give you a reason why?</p> <p>12 A. I don't recall if she gave a reason, but it's stands</p> <p>13 to reason I would have done this without her</p> <p>14 direction.</p> <p>15 Q. So whether it was a phone call or a face-to-face</p> <p>16 conversation, at some point during that day you told</p> <p>17 her about what had happened during this meeting with</p> <p>18 Mr. Mullins, is that fair?</p> <p>19 A. Correct.</p> <p>20 Q. Do you recall what her response was?</p> <p>21 A. Disbelief that, you know, it had escalated to this</p> <p>22 level.</p> <p>23 Q. When I asked you to look through Exhibit 2, did you</p> <p>24 read through your statement word-for-word?</p> <p>25 A. No.</p>	<p style="text-align: right;">Page 44</p> <p>1 trying to get in touch with you. You stepped out to</p> <p>2 call her back on your cell phone.</p> <p>3 Were you not able to get in touch with her</p> <p>4 at that time?</p> <p>5 A. Yes. And correct, there are several questions in</p> <p>6 there.</p> <p>7 Q. Sorry. I appreciate that. But okay.</p> <p>8 So generally, yes, you were able to reach</p> <p>9 her on your cell phone at that time?</p> <p>10 A. Yes.</p> <p>11 Q. Okay. And then you proceeded to have this discussion</p> <p>12 with Mr. Mullins?</p> <p>13 A. Well, that would enter into their return. They were</p> <p>14 already -- we had one discussion and that's what you</p> <p>15 talked about first.</p> <p>16 Q. Got it.</p> <p>17 A. They were sent away. And then they returned for a</p> <p>18 second discussion.</p> <p>19 Q. Okay. And that second discussion was where Mr.</p> <p>20 Mullins kind of, generally paraphrasing it, provided</p> <p>21 the information that appears in the investigatory</p> <p>22 interview summary?</p> <p>23 A. Correct.</p> <p>24 Q. Okay. How would you characterize Mr. Mullins'</p> <p>25 demeanor during that second discussion when he</p>

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<p style="text-align: right;">Page 45</p> <p>1 explained to you the nature of the harassment that he</p> <p>2 was complaining about?</p> <p>3 A. I would have to say it shifted from being erratic at</p> <p>4 times, determined at times, upset at times, and even</p> <p>5 angry at times.</p> <p>6 Q. What do you recall during that discussion made him</p> <p>7 angry or at what point during the discussion did he</p> <p>8 get angry?</p> <p>9 MR. DAVIS: Object to the form.</p> <p>10 A. I'd be speculating if I said I knew what made him</p> <p>11 angry.</p> <p>12 BY MR. LAURILA:</p> <p>13 Q. That's fair. But at what point during the</p> <p>14 conversation did you perceive him to be angry?</p> <p>15 A. It was a rather lengthy interview. It was at some</p> <p>16 point and it was in our back and forth over today</p> <p>17 versus to date. His reluctance to answer who had</p> <p>18 threatened or harassed him today versus to date is it.</p> <p>19 Q. And what about his demeanor made you feel that he was</p> <p>20 angry?</p> <p>21 A. At one point he stood up, leaned over my desk and</p> <p>22 began pointing at my computer monitor. His tone, his</p> <p>23 body language, and things of those nature were</p> <p>24 threatening. They were intimidating. And that's</p> <p>25 where I felt I seen a change had shifted to a more</p>	<p style="text-align: right;">Page 47</p> <p>1 I just want to understand what happened.</p> <p>2 A. Yes.</p> <p>3 Q. Okay. During this discussion with Mr. Mullins, Mr.</p> <p>4 Queen, as you state in your statement, was walking in</p> <p>5 and out of your office, is that fair?</p> <p>6 A. Yes.</p> <p>7 Q. And from the content of your statement, it sounds like</p> <p>8 at some point during this discussion Mr. Mullins --</p> <p>9 and I'm just going to read the way that you wrote</p> <p>10 it -- quote, "leaned into my desk and with pursed lips</p> <p>11 and gritted teeth Arthur lightly said, fuck you,</p> <p>12 bitch," end quote, which is from the end of 881.</p> <p>13 Do you see that?</p> <p>14 A. I do.</p> <p>15 Q. And is that the way that it happened?</p> <p>16 A. Yes.</p> <p>17 Q. And this was during an occasion when Mr. Queen was out</p> <p>18 of the office, out of your office?</p> <p>19 A. Correct.</p> <p>20 Q. What happened when Mr. Queen walked back in? Did you</p> <p>21 tell him what had just happened?</p> <p>22 A. Yes.</p> <p>23 Q. And what was his reaction?</p> <p>24 A. Surprise.</p> <p>25 Q. Do you recall him saying anything to you about it?</p>
<p style="text-align: right;">Page 46</p> <p>1 aggressive and angry Arthur Mullins.</p> <p>2 Q. In the third paragraph on the 881 of your statement,</p> <p>3 the very first sentence you state, I printed his</p> <p>4 statement and he refused to sign it claiming it was</p> <p>5 incomplete and not recorded accurately.</p> <p>6 You're referring there to the investigatory</p> <p>7 interview question and answer that we were looking at</p> <p>8 on 879 and 880?</p> <p>9 A. Correct.</p> <p>10 Q. Was there another or a separate investigatory</p> <p>11 interview statement or some other statement that you</p> <p>12 typed up and subsequently tore up, or was this the</p> <p>13 only one?</p> <p>14 A. Well, yes, it would be the same copy. And if he makes</p> <p>15 any changes or he adds on, we tear that copy up and</p> <p>16 put it in the shredder. And then there would be a new</p> <p>17 copy with the additional statement questions,</p> <p>18 etcetera.</p> <p>19 Q. Is there any content on 879 that he added that caused</p> <p>20 you to tear up the initial copy?</p> <p>21 A. I can't remember the sequence, but I believe the last</p> <p>22 question and answer were added after I originally</p> <p>23 tried to get him to sign. And if that's out of</p> <p>24 sequence, I apologize, but I think that would --</p> <p>25 Q. That's okay. Like I said, it's not a memory contest.</p>	<p style="text-align: right;">Page 48</p> <p>1 A. Yes, something to the effect of don't do this.</p> <p>2 Q. Did he indicate that -- do you recall him saying</p> <p>3 something to the effect of I was outside and I could</p> <p>4 hear everything that was being said in the office?</p> <p>5 A. Yes.</p> <p>6 Q. Did you interpret that to be him saying he was</p> <p>7 disputing that Mr. Mullins had said that?</p> <p>8 A. Yes.</p> <p>9 Q. Did you have any discussion with Mr. Queen about that</p> <p>10 aspect of it?</p> <p>11 A. Yes.</p> <p>12 Q. What did you guys talk about or what was that</p> <p>13 discussion?</p> <p>14 A. I explained to him what I wrote here, that he said it</p> <p>15 lightly, and because you stepped away, you may have</p> <p>16 missed it.</p> <p>17 Q. Did you have any sort of physical altercation with Mr.</p> <p>18 Queen?</p> <p>19 A. Physical altercation as in?</p> <p>20 Q. Did he put his hands on you or you put your hands and</p> <p>21 him -- excuse me, you put your hands on him?</p> <p>22 A. I touched him, yes.</p> <p>23 Q. And why?</p> <p>24 A. Because Arthur Mullins had put himself in a position</p> <p>25 that he was charging me.</p>

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<p style="text-align: right;">Page 49</p> <p>1 Q. Arthur Mullins was charging you in your office?</p> <p>2 A. That's how it appeared, yes.</p> <p>3 Q. When you say that's how it appeared, what do you mean?</p> <p>4 A. What I mean is he made the charge, he caught himself,</p> <p>5 stopped, and didn't complete it.</p> <p>6 Q. Okay. How big is your office or how big was your</p> <p>7 office?</p> <p>8 A. I'd call it eight foot by ten foot maybe.</p> <p>9 Q. Okay. And where was the door in relation to your</p> <p>10 desk?</p> <p>11 A. Three feet from the desk.</p> <p>12 Q. Okay. So when this altercation with Mr. Mullins where</p> <p>13 you said he charged at you, where was he standing?</p> <p>14 A. He was in the threshold of the door.</p> <p>15 Q. And where were you standing?</p> <p>16 A. Right at the edge of the desk.</p> <p>17 Q. Okay. So a couple feet apart?</p> <p>18 A. Yes, yes.</p> <p>19 Q. Okay. And where was Mr. Queen standing at that point?</p> <p>20 A. In between where Arthur was positioned and where I was</p> <p>21 positioned.</p> <p>22 Q. Was he standing directly between the two of you?</p> <p>23 A. He was directly between us, but his body was turned</p> <p>24 sideways.</p> <p>25 Q. Okay. And then it sounds like from what you just told</p>	<p style="text-align: right;">Page 51</p> <p>1 going on?</p> <p>2 A. Yes. As least his head was turned away.</p> <p>3 Q. Did Dan then turn around and look at Mr. Mullins?</p> <p>4 A. When Dan turned is when Arthur had caught himself and</p> <p>5 re-began the exit, the second exit from my office.</p> <p>6 Q. At some point during this did you notify Mr. Mullins</p> <p>7 and/or Mr. Queen that you were going to call security?</p> <p>8 A. I notified them that if they didn't leave and Arthur</p> <p>9 leave the premises, I would be calling security.</p> <p>10 Q. Did you end up having to call security?</p> <p>11 A. I believe I called security because they did not exit</p> <p>12 the -- Arthur did not exit the premises.</p> <p>13 Q. How did you know that he didn't exit the premises?</p> <p>14 A. I followed to see if he was going to go out the doors</p> <p>15 and head towards the exit and turnstiles, and he did</p> <p>16 not.</p> <p>17 Q. Okay. So if we look at page 882 of Exhibit 2, which</p> <p>18 is back to your statement on the last page. The first</p> <p>19 full sentence on that page states, as this happened,</p> <p>20 Dan walked back into my office. I stood up, said this</p> <p>21 meeting is over. It continues on.</p> <p>22 Is that the portion of your statement</p> <p>23 addressing the interaction that we just discussed</p> <p>24 where Mr. Mullins took that kind of threatening step</p> <p>25 towards you?</p>
<p style="text-align: right;">Page 50</p> <p>1 me that Mr. Mullins took a step towards you?</p> <p>2 A. Yes.</p> <p>3 Q. Was it just one step or more than one?</p> <p>4 A. So there was one definitive step, but if I'm being</p> <p>5 honest, he had to take at least two, potentially</p> <p>6 three, to get back in position. Because he had turned</p> <p>7 to leave my office and that's when I seen him turn and</p> <p>8 reenter.</p> <p>9 Q. Okay. And so Mr. Mullins turns kind of at the</p> <p>10 threshold to reenter, takes at least one significant</p> <p>11 step toward you?</p> <p>12 A. Inside the office now.</p> <p>13 Q. Inside the office now. And at that point you had to</p> <p>14 put your hands on Mr. Queen? Is that the way it</p> <p>15 happened?</p> <p>16 A. Yes.</p> <p>17 Q. Why did you have to put your hands on Mr. Queen at</p> <p>18 that point?</p> <p>19 A. I thought Arthur was going to attack me. And I was</p> <p>20 turning Dan to say look, look at what's happening.</p> <p>21 Dan was looking at me, not at what was happening. So</p> <p>22 I turned him and I'm saying Dan, Dan, Dan, look, as in</p> <p>23 look.</p> <p>24 Q. Got it. So Arthur takes this step towards you. Mr.</p> <p>25 Queen's back is turned to him, so he can't see what's</p>	<p style="text-align: right;">Page 52</p> <p>1 A. No.</p> <p>2 Q. Which part of your statement addresses that portion of</p> <p>3 the discussion?</p> <p>4 A. A few sentences down where it says he stood up and</p> <p>5 turned to the door to exit my office, then suddenly at</p> <p>6 the threshold turned back into the office with his</p> <p>7 arms flexed, took a hard step toward me.</p> <p>8 Q. Okay. When you said in your statement with his arms</p> <p>9 flexed, what are you -- I guess what was his arms</p> <p>10 doing that made you think that they were flexed? Was</p> <p>11 he raising them up like he was going to make a fist,</p> <p>12 take a swing at you?</p> <p>13 A. You want me to show you?</p> <p>14 Q. Just describe it.</p> <p>15 MR. DAVIS: Just describe it for the</p> <p>16 record.</p> <p>17 BY MR. LAURILA:</p> <p>18 Q. If you can describe it.</p> <p>19 A. His arms were at his side. And when he took the hard</p> <p>20 step towards or even the entry step, once he turned</p> <p>21 from exiting, his arms were at his side but they were</p> <p>22 bowed, right?</p> <p>23 Q. I see.</p> <p>24 A. He had clenched fists, so he's like this and he</p> <p>25 lowered, right? So that was an aggressive approach.</p>

13 (Pages 49 to 52)

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<p style="text-align: right;">Page 53</p> <p>1 And he had a grimace on his face.</p> <p>2 Q. I see. Okay. Fair to say while this February 2nd,</p> <p>3 2018 meeting was occurring you were not aware that Mr.</p> <p>4 Mullins was recording it, correct?</p> <p>5 A. Correct.</p> <p>6 Q. And you've listened to the recording of this meeting?</p> <p>7 A. Correct.</p> <p>8 Q. Is there anything about the recording that you feel --</p> <p>9 is there anything from the meeting that you feel was</p> <p>10 omitted from the recording, so not recorded? Does</p> <p>11 that make sense?</p> <p>12 A. Yes. I can't say for certain. There's some things</p> <p>13 that sound odd. I don't know if things were omitted,</p> <p>14 things were altered.</p> <p>15 Q. When you say there are things that sound odd, what do</p> <p>16 you mean?</p> <p>17 A. There were some echoes that I heard that I thought</p> <p>18 that's a bit -- that it didn't sound natural, I guess</p> <p>19 is maybe a better way to put it. And there were</p> <p>20 several times that I heard things through there like</p> <p>21 that that didn't sound natural. But of course, I</p> <p>22 don't know for sure.</p> <p>23 Q. Sure. You were obviously present for the entirety of</p> <p>24 this interaction with Mr. Mullins, correct?</p> <p>25 A. Correct.</p>	<p style="text-align: right;">Page 55</p> <p>1 Q. When Mr. Mullins took that step to you kind of through</p> <p>2 the door threshold where you indicated he was kind of</p> <p>3 flexing at you, you put your hands on Mr. Queen to</p> <p>4 kind of direct his attention to what was going on?</p> <p>5 A. With my right hand I was tapping his shoulder.</p> <p>6 Q. Okay.</p> <p>7 A. Saying Dan, Dan, Dan, as in, you know.</p> <p>8 Q. Look and see what he's doing?</p> <p>9 A. Correct.</p> <p>10 Q. What did you do -- what happened immediately after</p> <p>11 that? Did Mr. Queen turn and look at Mr. Mullins?</p> <p>12 A. He kept trying to argue with me for another instance.</p> <p>13 Q. He being?</p> <p>14 A. Dan Queen.</p> <p>15 Q. Okay.</p> <p>16 A. Arthur turns to exit. And I don't know exactly where</p> <p>17 I was and what I'm seeing, what I'm saying, but I was</p> <p>18 tapping his shoulder saying, Dan. And at some point</p> <p>19 he continues his argument with me and then turns.</p> <p>20 Arthur is now turning the corner exiting a second</p> <p>21 time.</p> <p>22 Q. Okay. And did Dan leave immediately after Mr. Mullins</p> <p>23 leaves your office?</p> <p>24 A. Yes. They sort of approached the secondary door to go</p> <p>25 out, as I recall, together. I don't remember any one</p>
<p style="text-align: right;">Page 54</p> <p>1 Q. So my question is more specific to, is there anything</p> <p>2 from the conversation that you believe does not appear</p> <p>3 in the recording?</p> <p>4 A. That happened?</p> <p>5 Q. Yes.</p> <p>6 A. There's going to be some things in there such as a</p> <p>7 head nod. There's a time where Dan nodded his head.</p> <p>8 Q. Of course.</p> <p>9 A. As in yeah, Arthur, he's correct or things like that</p> <p>10 aren't going to be in there. And specifically, you</p> <p>11 know, the charge that I have "fuck you, bitch" that he</p> <p>12 said to me can't be heard. Didn't know then why, but</p> <p>13 I know today why he made sure it was said -- it was</p> <p>14 mouthed and not spoken loudly. So yes, that's not on</p> <p>15 the tape with clarity.</p> <p>16 Q. I see. When Mr. Mullins said "fuck you, bitch" to</p> <p>17 you, did he speak it audibly or did he just mouth the</p> <p>18 words? Do you understand the difference?</p> <p>19 A. I do. And I hope you understand my explanation as</p> <p>20 well. It was a combination of lightly hitting a</p> <p>21 consonant, mouthing lightly, hitting a consonant,</p> <p>22 mouthing.</p> <p>23 Q. I see. And the lightly hitting the consonant</p> <p>24 portions, would you characterize it as like a whisper?</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 56</p> <p>1 of them staying in and the other one leaving or Dan</p> <p>2 hanging off and Arthur leaving. I remember them going</p> <p>3 fairly closely together at the same time exiting.</p> <p>4 Q. Okay. If we listen to the recording of that</p> <p>5 particular interaction, could you point out at which</p> <p>6 point during the conversation he said "fuck you,</p> <p>7 bitch" to you?</p> <p>8 A. There's a spot that I believe I know where it</p> <p>9 happened.</p> <p>10 MR. LAURILA: Okay. Well, why don't we do</p> <p>11 that then. See if this works. So this is the</p> <p>12 recording titled Butcher second statement ends in</p> <p>13 false threat dot M4A. It's 33.3 megabytes. I believe</p> <p>14 it's an hour and eleven minutes and fifty-six seconds.</p> <p>15 MR. DAVIS: Could we go off the record for</p> <p>16 a second?</p> <p>17 (Off the record at 12:46 p.m.)</p> <p>18 (Back on the record at 12:50 p.m.)</p> <p>19 MR. LAURILA: So do you want the file name,</p> <p>20 Tom?</p> <p>21 MR. DAVIS: Yes. What's the file name of</p> <p>22 the one that you --</p> <p>23 MR. LAURILA: Sure. It's Butcher, second</p> <p>24 with a two, statment, S-T-A-T-M-E-N-T. The E is</p> <p>25 missing.</p>

14 (Pages 53 to 56)

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<p style="text-align: right;">Page 61</p> <p>1 trying to get the person that harassed him away from 2 him, and he will not answer the question who it is and 3 who did it today. 4 So were you harassed today, I'm asking? 5 (Audio pauses.) 6 MR. LAURILA: I just want to pause it. 7 BY MR. LAURILA: 8 Q. Earlier you testified, you mentioned that Mr. Mullins 9 got frustrated and angry regarding the distinction 10 between being harassed today versus to date. You told 11 me about it, correct? 12 A. Correct. 13 Q. And you mentioned that you were trying to get from him 14 what was going on that day? 15 A. Correct. 16 Q. And is that generally what you were referencing? 17 A. Correct. 18 Q. Okay. 19 MR. DAVIS: I just ask, can we have the 20 whole fifteen minutes or so play so she can transcribe 21 it? 22 MR. LAURILA: You want to play it straight 23 through? 24 MR. DAVIS: Yes. So we don't keep 25 interrupting it. I don't think -- I have never had to</p>	<p style="text-align: right;">Page 63</p> <p>1 Are you noticing this, his body language and 2 everything, Mr. Queen? 3 MR. BUTCHER: Are you talking now? I 4 thought I still had the floor. 5 I just want to make sure we're clear. So 6 were you harassed today? 7 MR. MULLINS: Are you physically backing me 8 into a corner? 9 Do you physically see him approaching? 10 MR. BUTCHER: He doesn't want me to help. 11 I've done everything I can. I've done everything I 12 can. You guys have to leave. He just won't answer. 13 MR. MULLINS: When it's my opportunity to 14 speak -- 15 MR. BUTCHER: You just said I'm threatening 16 you. You just said I'm backing you literally 17 physically into the corner. 18 MR. MULLINS: Mr. Butcher, you were 19 approaching me. 20 MR. BUTCHER: I want you both to leave. I 21 want you to go back to your job. You won't give me a 22 statement. You won't give me the statement. Did 23 somebody harass you today, yes or no? If you don't 24 answer -- 25 MR. MULLINS: Ongoing leave, ongoing leave,</p>
<p style="text-align: right;">Page 62</p> <p>1 give actual audio to a court. I might have to if it 2 gets to that. I'm sure the court would like to see it 3 in transcript form. This is a good opportunity to get 4 that done now as well. 5 MR. LAURILA: Sure. That's fine. I'll 6 just let it play through. 7 (Audio resumes.) 8 MR. BUTCHER: I can help. I want to be 9 very, very clear. I want to help. The only thing 10 between me helping you is you answering my question 11 with a yes or a no. 12 Listen to that. The only thing between me 13 helping you is you answer my question yes or no. 14 MR. MULLINS: So -- 15 MR. BUTCHER: I'm still talking. I'm still 16 talking. 17 MR. MULLINS: Yes, sir, Mr. Butcher. 18 MR. BUTCHER: The only thing standing 19 between me helping you today -- 20 MR. MULLINS: Mr. Queen, are you witnessing 21 this? 22 MR. BUTCHER: -- is you answering my 23 question yes -- 24 MR. MULLINS: Are you seeing how he's 25 standing over his desk and being very uncooperative?</p>	<p style="text-align: right;">Page 64</p> <p>1 yes. Ongoing, yes. Ongoing, yes. Ongoing, yes. 2 MR. BUTCHER: Would you like to talk to him 3 and tell him how this works out? 4 MR. MULLINS: Per my understanding -- 5 MR. BUTCHER: Go back to the job. If 6 you're not going to answer yes or no, you can go back 7 to your job. 8 MR. MULLINS: Ongoing, yes. Ongoing, yes. 9 And per my understanding in an investigatory 10 interview, you're supposed to write down exactly what 11 I say. It's my statement, not yours, Mr. Butcher. 12 You don't get to dictate what -- it's not a yes-and-no 13 option question. That's not a -- 14 MR. BUTCHER: Do you see his posture 15 leaning over my desk? 16 MR. MULLINS: I'm leaning over your desk? 17 MR. BUTCHER: He's yelling. 18 MR. MULLINS: I'm pointing at the computer. 19 MR. BUTCHER: Your hands -- look at it. 20 MR. MULLINS: I'm pointing at the computer. 21 MR. BUTCHER: Look at that. 22 MR. MULLINS: I'm pointing at the computer. 23 MR. BUTCHER: It's up here. Look at that. 24 MR. MULLINS: You won't allow me to see the 25 questions that are on the screen.</p>

16 (Pages 61 to 64)

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1 MR. BUTCHER: Yeah, yeah. Your posture is
 2 very threatening. I'd like you to sit down.
 3 MR. MULLINS: I'm sorry.
 4 MR. BUTCHER: I'd like you to sit back.
 5 MR. MULLINS: Yes, sir.
 6 MR. BUTCHER: And relax. Because you're
 7 very threatening to me.
 8 MR. MULLINS: I'm scared, Mr. Butcher.
 9 MR. BUTCHER: You're leaning over my desk
 10 at me.
 11 MR. MULLINS: I'm not over your desk.
 12 MR. BUTCHER: I'm making it very clear, I'm
 13 scared. Arthur Mullins is frightening me with his
 14 actions and his language.
 15 MR. MULLINS: Yes, sir.
 16 MR. BUTCHER: Who is threatening you today?
 17 MR. MULLINS: Ongoing today.
 18 MR. BUTCHER: No, no.
 19 MR. MULLINS: Today.
 20 MR. BUTCHER: They're my questions, not
 21 yours. Just like they're your answers, they're my
 22 questions.
 23 Who is threatening you today?
 24 MR. MULLINS: Today?
 25 MR. BUTCHER: Yes.

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1 MR. MULLINS: This is my statement. Today
 2 I have been the victim -- (inaudible).
 3 MR. BUTCHER: I'll type when you get to a
 4 name. I asked for a name. Who is threatening you
 5 today?
 6 MR. MULLINS: So you will not type my
 7 statement as I stated?
 8 MR. BUTCHER: Who?
 9 MR. MULLINS: Today I have been the victim
 10 of ongoing --
 11 MR. BUTCHER: I'm going to end it. I'm
 12 going to ask you to leave. I'm trying to help. He
 13 won't --
 14 (Audio pauses.)
 15 MR. LAURILA: Shoot.
 16 MR. DAVIS: Let's go back to that.
 17 Fifty-one, that's about fifty-two minutes. It might
 18 be a little bit of overlap, but that's about where you
 19 stopped, about where it cut off.
 20 (Audio resumes.)
 21 MR. BUTCHER: Mr. Mullins is frightening me
 22 with his actions and his language.
 23 MR. MULLINS: Yes, sir.
 24 MR. BUTCHER: Who is threatening you today?
 25 MR. MULLINS: Ongoing today?

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1 MR. BUTCHER: No.
 2 MR. MULLINS: Today.
 3 MR. BUTCHER: No, they're my questions, not
 4 yours. Just like they're your answers, they're my
 5 questions. Who is threatening you today?
 6 MR. MULLINS: Today?
 7 MR. BUTCHER: Yes.
 8 MR. MULLINS: This is my statement. Today,
 9 I have been the victim -- (inaudible).
 10 MR. BUTCHER: I'll type when you get to a
 11 name. I asked for a name. Who is threatening you
 12 today?
 13 MR. MULLINS: So you will not type my
 14 statement as I stated?
 15 MR. BUTCHER: Who?
 16 MR. MULLINS: Today I have been the victim
 17 of ongoing --
 18 MR. BUTCHER: I'm going to end it. I'm
 19 going to ask you to leave. I'm trying to help.
 20 He won't -- Dan, he won't answer who's
 21 threatening you today.
 22 MR. MULLINS: Mr. Butcher, I'm trying to
 23 answer the question.
 24 MR. BUTCHER: All right. You guys got to
 25 go, man. I've done my best. He just won't give me a

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1 name.
 2 You want to secretly whisper it to him so
 3 he can --
 4 MR. MULLINS: You're not allowing me to
 5 answer the question.
 6 MR. BUTCHER: I don't know what you want me
 7 to do, Dan.
 8 MR. MULLINS: You will not allow me to
 9 answer the questions you have asked.
 10 MR. BUTCHER: The platform is yours. Give
 11 me a name. Who is threatening you?
 12 MR. MULLINS: You just asked me a question,
 13 Mr. Butcher.
 14 MR. BUTCHER: Who is threatening you today?
 15 MR. MULLINS: Ongoing threats from Shavonda
 16 Williams.
 17 MR. BUTCHER: Who is threatening you today?
 18 Shavonda Williams?
 19 MR. MULLINS: Shavonda Williams, Crystal
 20 Perry.
 21 And so once again, you're not writing my
 22 statement as I'm stating it, Mr. Butcher. You're
 23 writing it as you see fit.
 24 MR. BUTCHER: Shavonda Williams, Crystal
 25 Perry. Is there any others?

17 (Pages 65 to 68)

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1 MR. MULLINS: Kimmy, and I do not know the
2 last name.
3 MR. BUTCHER: Kimmy.
4 MR. QUEEN: Arthur, if they didn't do that
5 today --
6 MR. BUTCHER: I'm pulling them out. I'm
7 going to suspend them for threatening Arthur Mullins.
8 MR. MULLINS: That's not what I said. He's
9 typing what he wants.
10 MR. BUTCHER: Did he not say ongoing, yes?
11 You said that, right?
12 MR. MULLINS: This is the act that you're
13 bringing to Labor Relations today.
14 MR. BUTCHER: The active threat, the active
15 threat?
16 MR. MULLINS: What is the active? I don't
17 have glasses. Your computer is over fifteen feet
18 away.
19 MR. BUTCHER: I want to make sure we're
20 clear. I just want to make sure you're clear.
21 MR. MULLINS: May I move forward to look at
22 your computer, sir?
23 MR. BUTCHER: No, you're good. I read it
24 to you.
25 MR. MULLINS: What was the question?

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1 MR. BUTCHER: By who? Who has victimized
2 you today? So you've been victimized, so it's not a
3 threat. Say it again. Have you been threatened
4 today?
5 MR. MULLINS: Victim of threats, sexual
6 harassment, zero tolerance.
7 MR. BUTCHER: Today? Today?
8 MR. MULLINS: Yes, it's ongoing today.
9 MR. BUTCHER: So this is the same thing.
10 MR. MULLINS: Ongoing today.
11 MR. BUTCHER: You're saying the same thing
12 a different way.
13 MR. QUEEN: Today, if you're saying
14 today --
15 MR. MULLINS: Mr. Butcher, I'm saying the
16 same thing.
17 MR. BUTCHER: Have you been threatened
18 today?
19 He said yes, ongoing today. I put it down
20 word for word. I mean, this guy, he think he's like a
21 craft of words. It's not what you think.
22 Who's threatening you today? Shavonda
23 Williams, Crystal Perry, Kimmy, and I don't know her
24 last name. That's what you said.
25 MR. MULLINS: You have not -- you do not

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1 MR. BUTCHER: What is the active threat
2 that you're bringing to Labor Relations today?
3 MR. MULLINS: What is the active threat
4 that I'm bringing to Labor Relations today? Ongoing
5 sexual harassment, retaliation, what is ongoing
6 against me. I didn't say --
7 MR. BUTCHER: Am I crazy here?
8 MR. MULLINS: How can I answer? That's not
9 a question. That's not a yes-or-no question.
10 MR. BUTCHER: Ongoing, yes.
11 MR. MULLINS: That's an open-ended
12 question. That's an open-ended question. That's not
13 a yes-or-no question, Mr. Butcher. That's an
14 open-ended question that requires a response, sir.
15 And the only thing that I ask is that you
16 write the statement as I stated, please, sir. I
17 understand your question now.
18 You're changing your question, Mr. Butcher?
19 MR. BUTCHER: Yes, I am.
20 MR. MULLINS: Yes, sir. So once it started
21 --
22 MR. BUTCHER: Have you been threatened
23 today?
24 MR. MULLINS: Have I been threatened today?
25 I've been victimized today.

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1 let me finish my statement, Mr. Butcher.
2 MR. BUTCHER: Keep going. Because it's not
3 going to go on long.
4 MR. MULLINS: So what is -- who is
5 threatening today? Today, Shavonda Williams, Crystal
6 Perry, and Kimmy, not familiar with her last name --
7 you have that there -- are --
8 MR. QUEEN: Arthur, I got to be clear here.
9 Did they come up to you and say or do anything to you
10 today? Today, not to date, today.
11 (Audio pauses.)
12 BY MR. LAURILA:
13 Q. That's Dan Queen, correct?
14 A. Correct.
15 (Audio resumes.)
16 MR. QUEEN: I'm asking, because if we put
17 their names on there then in response today, that they
18 came up to you today and did something in those
19 manners, because if you're saying yes to that, he's
20 going to suspend all those people from an incident
21 that you're saying happened today.
22 MR. MULLINS: I'm saying that the
23 harassment is ongoing today.
24 MR. BUTCHER: You keep saying today.
25 MR. MULLINS: Because it has not been

18 (Pages 69 to 72)

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<p style="text-align: right;">Page 73</p> <p>1 resolved, so it's ongoing.</p> <p>2 MR. BUTCHER: Did they threaten you today?</p> <p>3 Now, Dan, watch this. He won't answer</p> <p>4 that.</p> <p>5 MR. QUEEN: Arthur --</p> <p>6 MR. MULLINS: Our first day back per Mr.</p> <p>7 Butcher, I was placed in the 21st at fifteen minutes.</p> <p>8 MR. BUTCHER: Take him back to the floor.</p> <p>9 This isn't an open discussion. You are answering</p> <p>10 interview questions only. This isn't for you and him</p> <p>11 to talk. I want to be clear.</p> <p>12 MR. MULLINS: Mr. Butcher --</p> <p>13 MR. BUTCHER: I appreciate you trying to</p> <p>14 get to the bottom of this, as he's being reluctant,</p> <p>15 but this isn't a platform for you to just talk.</p> <p>16 That's not what this is. I'm trying to get a</p> <p>17 statement. I have many other things going on. And</p> <p>18 you just simply not wanting to go to your job isn't</p> <p>19 one of them.</p> <p>20 So I'm asking you, I'm asking you specific</p> <p>21 questions. Because you brought --</p> <p>22 Dan, he brought threats up here, second</p> <p>23 time in the two days he's worked in the past six.</p> <p>24 Second time. He's been on roll two days and he's been</p> <p>25 in Labor two days saying he's being threatened that</p>	<p style="text-align: right;">Page 75</p> <p>1 MR. BUTCHER: I don't move manpower.</p> <p>2 MR. MULLINS: You don't have the authority,</p> <p>3 nor do your superiors.</p> <p>4 MR. BUTCHER: That's right.</p> <p>5 MR. MULLINS: Get your superiors involved.</p> <p>6 MR. BUTCHER: No, no.</p> <p>7 MR. MULLINS: I'm asking for your</p> <p>8 superiors, who has the authority or manpower to do so.</p> <p>9 MR. BUTCHER: You sign this statement.</p> <p>10 MR. MULLINS: You can't force me to sign</p> <p>11 something I did not say.</p> <p>12 MR. BUTCHER: Free to review.</p> <p>13 MR. MULLINS: These are incomplete</p> <p>14 statements from the statements that I've made and I</p> <p>15 would like to make. Would you like me to read them to</p> <p>16 you or would you like to --</p> <p>17 MR. BUTCHER: Did you say that or not?</p> <p>18 MR. MULLINS: These are incomplete.</p> <p>19 MR. BUTCHER: Did you say that or not? Are</p> <p>20 those the people that were threatening you?</p> <p>21 MR. MULLINS: These are incomplete</p> <p>22 statements.</p> <p>23 MR. BUTCHER: Are those the people that</p> <p>24 were threatening you?</p> <p>25 MR. MULLINS: There's are the people, yes.</p>
<p style="text-align: right;">Page 74</p> <p>1 current shift. So he's being threatened that current</p> <p>2 shift. I'm trying to help him out.</p> <p>3 And I appreciate you trying to get to the</p> <p>4 bottom of that, but he thinks it's an open forum.</p> <p>5 It's not an open forum.</p> <p>6 MR. MULLINS: So if it's an ongoing --</p> <p>7 MR. BUTCHER: It's not an open forum.</p> <p>8 MR. MULLINS: If it's an ongoing, you're</p> <p>9 not helping me?</p> <p>10 MR. BUTCHER: We're investigating it.</p> <p>11 MR. MULLINS: And per your statement, while</p> <p>12 the investigation is taking place, you place me within</p> <p>13 one hundred feet of (inaudible).</p> <p>14 MR. BUTCHER: I don't place you.</p> <p>15 MR. MULLINS: You refuse to move me.</p> <p>16 MR. BUTCHER: I don't move you.</p> <p>17 MR. MULLINS: You don't have the authority?</p> <p>18 MR. BUTCHER: I'm in Labor. No, I don't</p> <p>19 have the authority to move manpower.</p> <p>20 MR. MULLINS: Under an ongoing</p> <p>21 investigation of sexual harassment --</p> <p>22 MR. BUTCHER: No, no, no.</p> <p>23 MR. MULLINS: -- of zero tolerance?</p> <p>24 MR. BUTCHER: No, no.</p> <p>25 MR. MULLINS: You've given me the answer.</p>	<p style="text-align: right;">Page 76</p> <p>1 MR. BUTCHER: Are these the people that</p> <p>2 were threatening you?</p> <p>3 MR. MULLINS: That victimized me from</p> <p>4 ongoing harassment yes, and zero tolerance.</p> <p>5 MR. BUTCHER: Today. My question is today.</p> <p>6 You can read them.</p> <p>7 MR. MULLINS: Mr. Butcher --</p> <p>8 MR. BUTCHER: Is that accurate when you</p> <p>9 said today --</p> <p>10 MR. MULLINS: You're not going to allow me</p> <p>11 to write my statement as I stated. I have to write it</p> <p>12 out to answer --</p> <p>13 MR. BUTCHER: You brought --</p> <p>14 MR. MULLINS: -- the questions.</p> <p>15 MR. BUTCHER: You brought somebody's</p> <p>16 threatening me. I just want to know who and if it</p> <p>17 happened today.</p> <p>18 If it happened today, I'm going to help</p> <p>19 you, Arthur. I'm going to round them up. I'm going</p> <p>20 to get them and we're going to get a more stable</p> <p>21 situation for you to report to work and go to work.</p> <p>22 People are not allowed to come up and threaten you.</p> <p>23 Right?</p> <p>24 MR. MULLINS: Yes.</p> <p>25 MR. BUTCHER: So I just need to know you</p>

19 (Pages 73 to 76)

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<p style="text-align: right;">Page 77</p> <p>1 were threatened today. You said yes. Who threatened</p> <p>2 you today? Those folks.</p> <p>3 MR. MULLINS: Okay. So once again, the</p> <p>4 threat is ongoing and it has not been resolved.</p> <p>5 MR. BUTCHER: You said today?</p> <p>6 MR. MULLINS: Yes. It's ongoing because it</p> <p>7 has not been resolved, Mr. Butcher. I'm just asking</p> <p>8 for help, sir. I'm not here to be combative with you.</p> <p>9 I'm just asking for assistance.</p> <p>10 MR. BUTCHER: I'm trying to help. I don't</p> <p>11 need the speech. I'm trying to help. So let's just</p> <p>12 end it there. Don't tell me what you're asking for.</p> <p>13 I'm here to help, so let's help. Give me an</p> <p>14 opportunity to help you.</p> <p>15 MR. MULLINS: Yes, sir.</p> <p>16 MR. BUTCHER: Yes, sir, what?</p> <p>17 MR. MULLINS: I don't know.</p> <p>18 MR. BUTCHER: You don't know what?</p> <p>19 MR. MULLINS: What do you want? What would</p> <p>20 you like? What's the question?</p> <p>21 MR. BUTCHER: I don't have a question.</p> <p>22 MR. MULLINS: Well, my concern is --</p> <p>23 MR. BUTCHER: Can I see this? Can I see</p> <p>24 this?</p> <p>25 MR. MULLINS: Yes, sir, you may see the</p>	<p style="text-align: right;">Page 79</p> <p>1 Was he threatened today?</p> <p>2 MR. QUEEN: I don't know. I'm not the one</p> <p>3 answering questions.</p> <p>4 MR. BUTCHER: What did he say?</p> <p>5 MR. QUEEN: He said it's ongoing today.</p> <p>6 MR. BUTCHER: Let's be clear. Yes, yes,</p> <p>7 ongoing today, yes.</p> <p>8 MR. QUEEN: Ongoing today.</p> <p>9 MR. BUTCHER: So if you're not going to</p> <p>10 sign this statement and you just wasted an hour of my</p> <p>11 time -- you going to sign the statement?</p> <p>12 MR. MULLINS: Mr. Butcher, I will gladly</p> <p>13 sign the statement if my words are placed on there</p> <p>14 exactly as I stated.</p> <p>15 MR. BUTCHER: Are you saying these aren't</p> <p>16 your words? Because this isn't an open-ended --</p> <p>17 Arthur, I'm talking.</p> <p>18 MR. MULLINS: You asked me a question. I'm</p> <p>19 answering.</p> <p>20 MR. BUTCHER: No, I didn't. No, I didn't.</p> <p>21 MR. MULLINS: You asked me whether those</p> <p>22 are my words. You just stated, are those my words.</p> <p>23 MR. BUTCHER: I wasn't completed. I wasn't</p> <p>24 completed.</p> <p>25 MR. MULLINS: Continue.</p>
<p style="text-align: right;">Page 78</p> <p>1 interview.</p> <p>2 MR. BUTCHER: Because you don't want</p> <p>3 anything to do with this, correct?</p> <p>4 MR. MULLINS: You're correct. I do want to</p> <p>5 sign a statement that my answers are not on,</p> <p>6 incomplete.</p> <p>7 MR. BUTCHER: You didn't say these things?</p> <p>8 MR. MULLINS: Partially.</p> <p>9 MR. BUTCHER: Let me know if I'm putting</p> <p>10 him on notice or if I'm going to get these people.</p> <p>11 Because if he came up here and said he was threatened,</p> <p>12 if he wasn't threatened, I have to address that. But</p> <p>13 if he was threatened, I'm trying to get these people.</p> <p>14 And if I'm wrong, then let me know that</p> <p>15 these aren't the names he said. Kimmy, I don't know</p> <p>16 her name, Shavonda Williams, and Crystal Perry. I</p> <p>17 need to go get those people. And if that's an</p> <p>18 erroneous statement, then I need to deal with Arthur</p> <p>19 right now.</p> <p>20 What are we doing at this moment? I'm</p> <p>21 trying to help. People aren't allowed to threaten</p> <p>22 co-workers.</p> <p>23 MR. QUEEN: It's an open investigation. It</p> <p>24 is what it is.</p> <p>25 MR. BUTCHER: Was he threatened today, Dan?</p>	<p style="text-align: right;">Page 80</p> <p>1 MR. BUTCHER: So Arthur --</p> <p>2 MR. MULLINS: Mr. Butcher --</p> <p>3 MR. BUTCHER: -- the question was, were</p> <p>4 you --</p> <p>5 You just can't -- see, I can't even talk</p> <p>6 without him talking, so I guess we're done if you're</p> <p>7 not going to sign.</p> <p>8 MR. MULLINS: So if I do not sign the</p> <p>9 statement that has a partial statement --</p> <p>10 MR. BUTCHER: It's not a partial statement.</p> <p>11 See, you're trying to embellish the question. I don't</p> <p>12 want embellishment. Were you threatened, yes or no?</p> <p>13 Right, yes, ongoing today. Okay. Who threatened you?</p> <p>14 That's all I need are the names. I don't need the</p> <p>15 actions. I don't need none of that. Right? I will</p> <p>16 go get them. I will interview them. I will handle</p> <p>17 it.</p> <p>18 MR. MULLINS: You need no details, just the</p> <p>19 name. You want no details.</p> <p>20 MR. BUTCHER: Of what happened today, yes.</p> <p>21 You have details of today?</p> <p>22 MR. MULLINS: Of today.</p> <p>23 MR. BUTCHER: Oh, okay. What actions --</p> <p>24 I want you to hear this, Dan.</p> <p>25 What actions did they do today?</p>

20 (Pages 77 to 80)

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1 MR. MULLINS: Today their presence in the
2 workforce one hundred feet from my assigned work
3 station signed by management upheld by Labor places me
4 in ongoing fear for my job, my safety, because --
5 because all former complaints were false and I have
6 been punished yet and still.
7 MR. BUTCHER: So you're talking about
8 something other than today?
9 MR. MULLINS: Today. And with these
10 investigations --
11 MR. BUTCHER: All former complaints were
12 false today?
13 MR. MULLINS: To date, to date they are.
14 MR. BUTCHER: To date?
15 MR. MULLINS: To date they were false.
16 MR. BUTCHER: I didn't ask for a history.
17 I asked today.
18 MR. MULLINS: And today's date is?
19 MR. BUTCHER: 2-2.
20 MR. MULLINS: To date, to date, to this
21 exact date, that's what that means, to date.
22 MR. BUTCHER: Complaint today.
23 MR. MULLINS: Because of former complaints
24 with false statements.
25 MR. BUTCHER: Today?

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1 the room? Why did you leave the room, man?
2 MR. BUTCHER: Dan? Dan?
3 MR. QUEEN: This ain't even happening, man.
4 He did not say that.
5 MR. BUTCHER: How would you know? You
6 weren't in the room.
7 MR. QUEEN: Get the fuck out of here.
8 Don't even try that. Don't do that. Don't do that.
9 Don't do that.
10 MR. BUTCHER: Do what?
11 MR. QUEEN: I can hear everything that was
12 being said. I'm five feet from the room. Don't put
13 that on me.
14 MR. BUTCHER: Mr. Mullins is suspended.
15 We're done here. You can leave or I can start making
16 calls.
17 (Audio pauses.)
18 MR. LAURILA: So we're going to end it at
19 107:20.
20 We're good to proceed, Mr. Davis?
21 MR. DAVIS: Yes.
22 BY MR. LAURILA:
23 Q. Okay. So we just listened to about twenty-five -- I'm
24 not great at math -- or thirty minutes of that
25 meeting, is that fair?

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1 MR. MULLINS: To date.
2 MR. BUTCHER: The question has nothing to
3 do with to date. It has to do with today, Arthur. So
4 you don't have anything for today?
5 MR. MULLINS: I understand your question.
6 MR. BUTCHER: Arthur Mullins --
7 MR. MULLINS: That is my answer.
8 MR. BUTCHER: Collect your things, all
9 right?
10 Dan, when you stepped out he said, "fuck
11 you, bitch" to me.
12 Get your stuff. You're suspended.
13 MR. MULLINS: I said what?
14 MR. BUTCHER: You said "fuck you, bitch" to
15 me. If you think I'm playing with you, I'm not. You
16 don't get to talk to me like that.
17 MR. MULLINS: You're making this up.
18 MR. BUTCHER: Collect your things. You're
19 suspended.
20 MR. MULLINS: Mr. Butcher, you're making
21 this up.
22 MR. BUTCHER: Mr. Butcher? You're
23 suspended, Mr. Mullins. You said "fuck you, bitch" to
24 me.
25 MR. MULLINS: Mr. Queen, why did you leave

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1 A. Yes.
2 Q. Okay. And --
3 MR. DAVIS: Just for the record, I'm sorry,
4 it was we started at -- so we're talking about eight
5 minutes. I'm sorry, eighteen minutes.
6 MR. LAURILA: Eighteen minutes. That's why
7 I became a lawyer. I can't do math.
8 BY MR. LAURILA:
9 Q. Okay. So after listening to that recording, can you
10 tell me at what point in the discussion he said "fuck
11 you, bitch" to your mouth, or mouthed "fuck you,
12 bitch" to you, whatever it is?
13 A. I believe it's when I say Dan, I want you to hear
14 this. I'm saying that because Dan's not present. So
15 you hear my voice elevate and call Dan, I want you to
16 hear this. I'm asking him to come back into the room.
17 Q. Okay. And was that -- so there's a portion of it
18 where he talks about -- this is like around the 104:30
19 mark, where he says what ultimately got put into the
20 investigatory interview under what actions did they
21 take today, he talks about today their presence in the
22 workforce a hundred feet from my assigned work
23 station, assigned by management upheld by Labor, yada,
24 yada. Was it during sort of after he finished
25 recounting that to you?

21 (Pages 81 to 84)

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1 A. Before that.
 2 Q. Before that?
 3 A. Yes. There's a long silence in between me saying Dan,
 4 I want you to hear this and him starting that
 5 statement. During that silence of him not talking he
 6 recognized what I recognized, that Dan was out of the
 7 room and he took the opportunity to say that then.
 8 Q. Okay. And then after that is when he started to
 9 recount the portion that I just read to you, today
 10 their presence in the workforce, a hundred feet?
 11 A. Correct.
 12 Q. So why didn't you say anything about it immediately?
 13 A. Dan wasn't present. I needed Dan to resurface.
 14 Q. So even though he said -- mouthed "fuck you, bitch" to
 15 you while Dan was out of the room, you continued on
 16 taking his statement?
 17 A. Yes.
 18 Q. And the reason that you did that, just to be clear, is
 19 because Dan was not in the room?
 20 A. Yes.
 21 Q. And you previously told me that Mr. Mullins made a
 22 threatening flexing step towards you when he was out
 23 of the doorway coming back in. At what point in the
 24 record did that occur? Was it like the very end?
 25 A. After you hear him say -- I believe he says, Mr.

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1 just to avoid doing your job or something like that?
 2 A. Correct.
 3 Q. Was that kind of your impression?
 4 A. There's a bit of impression. There's a bit of -- it's
 5 all posturing trying to get something out. I was
 6 actually trying to get out whatever it is he was
 7 trying to convey.
 8 Q. Did you get angry at any point during this meeting?
 9 A. Just frustrated.
 10 Q. And I think I asked you earlier about this. You had
 11 no additional follow-up with Mr. Mullins face-to-face,
 12 on the phone, any other communication, any other
 13 encounters after this incident?
 14 MR. DAVIS: That misrepresents his
 15 testimony. Go ahead.
 16 A. I believe there was a hearing after this.
 17 BY MR. LAURILA:
 18 Q. Okay. Well, I guess just to clarify. Did you have
 19 any other meetings with Mr. Mullins face-to-face, you
 20 know, in your office, in Labor Relations like this?
 21 MR. DAVIS: Object to the form. Like this,
 22 you mean like the investigatory statement, Counsel?
 23 BY MR. LAURILA:
 24 Q. I'm not sure, because you said your first encounter
 25 Mr. Mullins came in and talked to you did not result

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1 Queen, why did you leave the room, and his voice
 2 elevates, he got up from his seat, turned, exited.
 3 When he comes back and makes the approach, you hear my
 4 voice say Dan, Dan, Dan, it's going down now,
 5 something to that effect.
 6 Q. Okay. Were you frustrated during this process, this
 7 February 2nd meeting with Mr. Mullins?
 8 A. Yes.
 9 Q. Was it his conduct that caused you to be frustrated?
 10 I mean, to me it sounds like you were asking some
 11 specific questions and felt like you weren't getting
 12 answers, is that fair?
 13 A. Fair.
 14 Q. And was that frustrating to you?
 15 A. It was frustrating that he was abusing the platform.
 16 Q. When you say abusing the platform, do you mean that
 17 you felt like he was wasting your time?
 18 A. I feel like the Labor Relations Office is a support
 19 mechanism for the members and he was taking full
 20 advantage of that situation.
 21 Q. Did you get the sense that he was trying to avoid
 22 working?
 23 A. I can't be certain.
 24 Q. I recall you saying to that effect during the
 25 conversation, something about you can't come up here

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1 in an investigatory interview. So I guess I'm trying
 2 to be clear here. Did you have any other face-to-face
 3 discussions with Mr. Mullins in Labor Relations after
 4 this February 2nd incident?
 5 A. Yes. I need to correct that, because we had the
 6 hearing, I believe it was on 2-9. So the hearing
 7 where we actually disciplined him would have been 2-9.
 8 Q. Sure. But that was not a discussion with you and him
 9 in your office?
 10 A. Yes.
 11 Q. Well, I mean, he wasn't sitting across your desk from
 12 you, was he?
 13 A. Yes.
 14 Q. During the hearing?
 15 A. Yes.
 16 Q. Okay. It wasn't like in a conference room or
 17 something like that?
 18 A. No. We conducted it in my office.
 19 Q. Got it. But there were other individuals present from
 20 Labor, correct?
 21 A. There was.
 22 Q. Okay. So other than -- all right. So it was this
 23 February 2nd meeting that we've been talking about,
 24 the February 9th hearing, those were the only two --
 25 A. Correct.

22 (Pages 85 to 88)

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<p style="text-align: right;">Page 89</p> <p>1 Q. -- interactions you had with him?</p> <p>2 A. Correct.</p> <p>3 Q. Did you ever speak to him outside of on the phone</p> <p>4 after these two incidents or this incident and that</p> <p>5 hearing?</p> <p>6 A. I may have called him in for the hearing. I don't</p> <p>7 know how else he would have got back, because he was</p> <p>8 suspended. It may have been one of my associates in</p> <p>9 the office. So potentially, yes. Potentially, no.</p> <p>10 Q. Okay. If you did indeed call him to notify him to</p> <p>11 come back for the hearing, fair to say nothing about</p> <p>12 that stands out in your mind as being significant</p> <p>13 beyond just it may have occurred?</p> <p>14 A. No.</p> <p>15 Q. Okay. Remind me again, when did you leave the</p> <p>16 Dearborn Stamping Plant? You said in 2019?</p> <p>17 A. It's a bit of a complicated question, because I've</p> <p>18 never left. What we did was we absorbed more plants</p> <p>19 in the complex. And my sole responsibility is no</p> <p>20 longer just Dearborn Stamping, it is now Rouge site.</p> <p>21 Q. Got it.</p> <p>22 A. So I still have responsibilities for Dearborn</p> <p>23 Stamping, but again, it's not my sole responsibility.</p> <p>24 Q. Okay. So you were at or involved in Dearborn Stamping</p> <p>25 Labor Relations activities continuously from 2017 to</p>	<p style="text-align: right;">Page 91</p> <p>1 Q. Did that occur in this situation with Mr. Mullins?</p> <p>2 A. No. The decision was not ours.</p> <p>3 Q. Whose decision was it?</p> <p>4 A. Labor Affairs.</p> <p>5 Q. What's the difference between Labor Relations and</p> <p>6 Labor Affairs?</p> <p>7 A. Labor Affairs is like a governing body for the Labor</p> <p>8 Relations within the plants. If you thought of --</p> <p>9 this is going to be a bad analogy -- but college</p> <p>10 football and then the NCAA. There's a governing body</p> <p>11 over what each institution does.</p> <p>12 Q. Got it.</p> <p>13 A. So at each plant we report to Labor Affairs. We get</p> <p>14 our direction from Labor Affairs.</p> <p>15 Q. Got it. And does Labor Affairs employ -- or employ is</p> <p>16 probably a bad word -- but involve union personnel, or</p> <p>17 is it Ford Motor Company management personnel?</p> <p>18 A. It's Ford Motor Company management personnel.</p> <p>19 Q. Do you know who -- was there a single individual in</p> <p>20 Labor Affairs who made the decision to have the</p> <p>21 disciplinary hearing on February 9th for Mr. Mullins?</p> <p>22 A. I can't answer that. I don't know the inner workings</p> <p>23 of Labor Affairs.</p> <p>24 Q. Were you involved? Any conversations with any Labor</p> <p>25 Affairs employees wherein that was discussed?</p>
<p style="text-align: right;">Page 90</p> <p>1 present?</p> <p>2 A. Correct.</p> <p>3 Q. Okay. Were there occasions when you were involved in</p> <p>4 discussions about Arthur Mullins with Labor Relations</p> <p>5 Department employees from 2017 through these incidents</p> <p>6 to present?</p> <p>7 A. I'm certain there is, because we have regular meetings</p> <p>8 about our open cases.</p> <p>9 Q. Do you recall discussing Mr. Mullins' February 2nd,</p> <p>10 2018 interactions with you at one of those meetings?</p> <p>11 A. Not specifically what took place in that meeting. My</p> <p>12 discussion was once with Maria Watson. Beyond that, I</p> <p>13 don't know that there was further in-depth discussion.</p> <p>14 There would have been talk about the ongoing case.</p> <p>15 There would have been a separate</p> <p>16 conversation about the hearing, right. So the Labor</p> <p>17 Office would have been privy to the hearing, because</p> <p>18 we discuss what we settle on as a charge so we're all</p> <p>19 in unison with that and what we settle on as a</p> <p>20 penalty.</p> <p>21 Q. Got it. Okay. So as far as the decision to hold a</p> <p>22 disciplinary hearing, that is something that Labor</p> <p>23 Relations Department kind of makes collectively, is</p> <p>24 that fair?</p> <p>25 A. Generally.</p>	<p style="text-align: right;">Page 92</p> <p>1 A. No.</p> <p>2 Q. Did you ever have any discussions with anybody from</p> <p>3 Labor Affairs about Mr. Mullins, period?</p> <p>4 A. About this incident?</p> <p>5 Q. Yes.</p> <p>6 A. None that I recall whatsoever.</p> <p>7 Q. Okay. So was the Labor Relations Department notified</p> <p>8 you're going to hold a disciplinary hearing for Mr.</p> <p>9 Mullins?</p> <p>10 A. Yes.</p> <p>11 Q. Were you notified of that directly or did Maria Watson</p> <p>12 tell you?</p> <p>13 A. It's my understanding that the Human Resources</p> <p>14 manager, Ashlie O'Reilly, took the information that,</p> <p>15 you know, through my statement and what was reported</p> <p>16 by Maria, sent it off to Labor Affairs, and Labor</p> <p>17 Affairs got back directly with her.</p> <p>18 Q. Do you know if Labor Affairs was aware of any prior</p> <p>19 complaints that Mr. Mullins had made about the</p> <p>20 harassment and threats from Crystal Perry, Shavonda</p> <p>21 Williams, etcetera?</p> <p>22 A. I do not know if they were aware.</p> <p>23 Q. And as far as the disciplinary hearing that occurred</p> <p>24 on February 9th, did you conduct that hearing?</p> <p>25 A. Yes, I did.</p>

23 (Pages 89 to 92)

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<p style="text-align: right;">Page 101</p> <p>1 DEPOSITION EXHIBIT 3</p> <p>2 1:39 p.m.</p> <p>3 BY MR. LAURILA:</p> <p>4 Q. Sir, I'm going to hand you what we just marked as</p> <p>5 Exhibit 3, which is a March 1st, 2018 letter from</p> <p>6 Labor Relations to Arthur Mullins informing him that</p> <p>7 he has to complete an independent medical exam as part</p> <p>8 of the fitness for duty. And actually, the letter</p> <p>9 states because of the February 2nd, 2018 incident.</p> <p>10 My question is, is this letter normal</p> <p>11 procedure for how an employee should get notified of</p> <p>12 this kind of exam?</p> <p>13 A. Yes. This so we're clear, this is actually the</p> <p>14 follow-up, because he missed an appointment from what</p> <p>15 I read here.</p> <p>16 Q. Got it.</p> <p>17 A. So that is the proper form for that.</p> <p>18 Q. Okay. So as far as the decision to have him go to the</p> <p>19 medical exam, that's a hundred percent of the purview</p> <p>20 of the medical staff?</p> <p>21 A. Correct.</p> <p>22 Q. And were you aware that Mr. Mullins was fired or</p> <p>23 terminated?</p> <p>24 A. Yes.</p> <p>25 Q. And how did you get notified of that?</p>	<p style="text-align: right;">Page 103</p> <p>1 Q. Okay.</p> <p>2 A. I did not have a follow-up or conclusion with it.</p> <p>3 Q. Okay. During the February 9th, 2018 hearing, the</p> <p>4 disciplinary hearing, did Mr. Mullins reference the</p> <p>5 audio recording, the existence of an audio recording</p> <p>6 of the February 2nd incident?</p> <p>7 A. No, I don't recall that.</p> <p>8 MR. LAURILA: I don't think I have any more</p> <p>9 questions. Thank you.</p> <p>10 MR. DAVIS: I'm going to have a couple. I</p> <p>11 may need to take a break at some point.</p> <p>12 MR. LAURILA: Sure.</p> <p>13 EXAMINATION</p> <p>14 BY MR. DAVIS:</p> <p>15 Q. First, Mr. Butcher, I just want to ask. We've played</p> <p>16 audio, I believe -- counsel can correct me if I'm</p> <p>17 wrong -- we've played audio from about forty-nine</p> <p>18 minutes into the audio recording and we stopped at</p> <p>19 about one minute and seven seconds. Do you recall</p> <p>20 that?</p> <p>21 MR. DAVIS: Is that right, Counsel?</p> <p>22 MR. LAURILA: Yes.</p> <p>23 BY MR. DAVIS:</p> <p>24 Q. Okay. There was additional conversation with Mr.</p> <p>25 Mullins prior to the portion of the audio that we</p>
<p style="text-align: right;">Page 102</p> <p>1 A. There's a report that comes out from our hourly</p> <p>2 personnel staff. Anytime they do a five-day notice,</p> <p>3 ten days quit of nonreporting, once the employee fails</p> <p>4 to report, they send out a report of who failed and we</p> <p>5 get notification that way.</p> <p>6 Q. Were you involved in any discussion about whether or</p> <p>7 when Mr. Mullins was going to return to work?</p> <p>8 A. No.</p> <p>9 Q. Were you involved in any discussions about Mr. Mullins</p> <p>10 kind of at all from March 2018 going forward?</p> <p>11 A. No.</p> <p>12 Q. You mentioned several times there was an ongoing</p> <p>13 investigation into the allegations raised by Mr.</p> <p>14 Mullins. Do you know what the ultimate status or</p> <p>15 conclusion of that investigation was?</p> <p>16 A. I don't offhand. Because I wasn't even there when</p> <p>17 they initiated it. I don't know where that landed</p> <p>18 exactly.</p> <p>19 Q. Okay. From what you just told me it sounds like, fair</p> <p>20 to say, you didn't have any involvement in what the</p> <p>21 conclusion was going to be?</p> <p>22 A. I could have if they had either reassigned it to me</p> <p>23 based on some things or, you know, change in events</p> <p>24 because something happens during the time I'm working.</p> <p>25 But that didn't take place, so.</p>	<p style="text-align: right;">Page 104</p> <p>1 heard and had transcribed, right?</p> <p>2 A. There was additional?</p> <p>3 Q. Yes. We didn't listen to the entirety of your</p> <p>4 interaction with Mr. Mullins?</p> <p>5 A. No.</p> <p>6 Q. On that day?</p> <p>7 A. No.</p> <p>8 Q. Okay. How would you describe his conduct in the</p> <p>9 portion of the tape that we didn't listen to?</p> <p>10 A. It varied throughout.</p> <p>11 Q. Was he uncooperative?</p> <p>12 A. Very.</p> <p>13 Q. Was he not answering your questions?</p> <p>14 A. Yes. Just as the portion we did hear, same thing.</p> <p>15 MR. DAVIS: Okay. I think for</p> <p>16 completeness' sake, it's only about nine minutes, I'd</p> <p>17 like to ask if counsel's okay with it, if you could go</p> <p>18 to forty-one minutes and forty seconds. And it starts</p> <p>19 with I believe you'll hear Mr. Butcher say step in</p> <p>20 here, Dan, please. And that's where I'd like to start</p> <p>21 the audio and we're just going to let it run.</p> <p>22 MR. LAURILA: You said --</p> <p>23 MR. DAVIS: About 41:42 or so. I don't</p> <p>24 know how precise you can be.</p> <p>25 MR. LAURILA: 41:43, does that work?</p>

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<p>1 MR. DAVIS: It should start, step in here, 2 Dan, please. Go ahead. I'll tell you when to stop. 3 (Audio resumes.) 4 MR. BUTCHER: Step in here, Dan, please. 5 MR. MULLINS: (Inaudible). 6 MR. BUTCHER: So you were threatened today? 7 MR. MULLINS: No, sir. 8 MR. BUTCHER: You were threatened today? 9 You were sexually harassed today? 10 MR. MULLINS: No, sir. 11 MR. BUTCHER: You weren't. So none of this 12 went on today? 13 MR. MULLINS: No, sir. 14 MR. BUTCHER: Nothing happened today? 15 MR. MULLINS: It's ongoing. 16 MR. BUTCHER: So you gave me -- have you 17 given a statement on this ongoing issue? 18 MR. MULLINS: I gave you a statement 19 Friday. 20 MR. BUTCHER: You gave a statement already? 21 MR. MULLINS: To you Friday. 22 MR. BUTCHER: So we're investigating it, is 23 that -- 24 MR. MULLINS: I don't know. 25 MR. BUTCHER: I'm telling you. I'm telling</p>	<p>1 MR. MULLINS: If you are investigating it. 2 MR. BUTCHER: This is an investigatory 3 interview. 4 MR. MULLINS: I don't know if you 5 personally are conducting it. 6 MR. BUTCHER: Did I interview you? 7 MR. MULLINS: You did, yes, sir. 8 MR. BUTCHER: Then what are you confused 9 about? 10 MR. MULLINS: Was that your first time 11 interviewing me? I have no confusion, sir. 12 MR. BUTCHER: Well, you just said you don't 13 know if there's an investigation. And I read to you 14 this is an investigatory interview. 15 MR. MULLINS: So there's an ongoing 16 investigation regarding sexual harassment. 17 MR. BUTCHER: So nothing happened today. 18 Let's just cut to the chase. Did anything happen 19 today? 20 MR. MULLINS: I'm -- 21 MR. BUTCHER: Just answer my questions. 22 This is my podium. 23 Did anything happen today? Were you 24 harassed today? 25 MR. MULLINS: Yes, sir.</p>
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<p>1 you if you gave an investigatory statement and I read 2 you all the criteria, do you recall that? 3 MR. MULLINS: I recall you asking me a 4 series of questions regarding -- 5 MR. BUTCHER: And telling you this is a 6 matter of company record and you cannot record it and 7 going through all that. Do you not recall -- 8 MR. MULLINS: Yes, sir. 9 MR. BUTCHER: Oh, you do recall that now? 10 MR. MULLINS: I do recall that. 11 MR. BUTCHER: You do recall that? 12 MR. MULLINS: Yes, sir. 13 MR. BUTCHER: So we opened an 14 investigation. We told you this is an investigatory 15 interview and a matter of company record. 16 MR. MULLINS: Yes, sir. 17 MR. BUTCHER: Are you again going to tell 18 me you don't know or you do know? 19 MR. MULLINS: I do recall. 20 MR. BUTCHER: You do know now? 21 MR. MULLINS: I haven't changed it. I do 22 know. 23 MR. BUTCHER: You just said I don't know if 24 you're investigating it. But I read that to you 25 during the investigatory interview.</p>	<p>1 MR. BUTCHER: By who? 2 MR. MULLINS: The fear of Shavonda Williams 3 and Crystal Perry and Kimmy making sure -- 4 MR. BUTCHER: Shavonda Williams and Crystal 5 Perry came to you today and harassed you? 6 MR. MULLINS: They have harassed me 7 ongoing. 8 MR. BUTCHER: I asked today. Today. 9 MR. MULLINS: You asked today. 10 MR. BUTCHER: Did they today? 11 MR. MULLINS: Did they today? 12 MR. BUTCHER: Yes. 13 MR. MULLINS: They have done it several 14 times prior to today. 15 MR. BUTCHER: Am I going to get an answer, 16 or no? I'm trying to help. 17 MR. MULLINS: Mr. Butcher, I'm trying to 18 answer your question. 19 MR. BUTCHER: No, you're not. You're 20 actually trying to not answer it. 21 Did anybody harass you today? I'm asking 22 you to give me that statement. 23 MR. MULLINS: Harassment is ongoing. 24 MR. BUTCHER: Today. 25 MR. MULLINS: Harassment is ongoing every</p>

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<p style="text-align: right;">Page 109</p> <p>1 day.</p> <p>2 MR. BUTCHER: I'm asking today.</p> <p>3 MR. MULLINS: Today it is ongoing.</p> <p>4 MR. BUTCHER: So go round them up. I'm</p> <p>5 going to suspend everybody. He says they harassed him</p> <p>6 today.</p> <p>7 MR. MULLINS: I said it's ongoing today.</p> <p>8 MR. BUTCHER: I want to be clear. If they</p> <p>9 harassed him today, I'm suspending everybody. So he's</p> <p>10 saying that harassment is --</p> <p>11 MR. MULLINS: Harassment is ongoing.</p> <p>12 MR. BUTCHER: Dan, I want you to get this</p> <p>13 very clear to him.</p> <p>14 MR. MULLINS: Yes, sir. Harassment is</p> <p>15 ongoing today.</p> <p>16 MR. BUTCHER: Today.</p> <p>17 MR. MULLINS: Ongoing.</p> <p>18 MR. BUTCHER: You heard it from his mouth.</p> <p>19 So I'm going to get a statement that he just signed.</p> <p>20 MR. MULLINS: Yes, sir. Yes, sir, Mr.</p> <p>21 Butcher, sir.</p> <p>22 MR. BUTCHER: All right. Come on in. Come</p> <p>23 on in. We're going to sign a statement. Come on in.</p> <p>24 MR. MULLINS: We're professionals.</p> <p>25 MR. BUTCHER: Come on in.</p>	<p style="text-align: right;">Page 111</p> <p>1 thing.</p> <p>2 MR. MULLINS: Senior process coach/area</p> <p>3 manager. He has the authority of every supervisor on</p> <p>4 the floor that I have taken zero tolerance concerns to</p> <p>5 him, Mr. Butcher. I have taken sexual harassment and</p> <p>6 harassment concerns to him. Friday I came into your</p> <p>7 office on the 26th and we filed a formal statement.</p> <p>8 Correct? You said the investigation is ongoing.</p> <p>9 MR. BUTCHER: No, the investigation is</p> <p>10 open.</p> <p>11 MR. MULLINS: The investigation is open.</p> <p>12 So you placed me in Engine East for what reason?</p> <p>13 MR. BUTCHER: I don't even know what you're</p> <p>14 talking about right now. I don't place people.</p> <p>15 MR. MULLINS: This is January 26th --</p> <p>16 MR. QUEEN: Hold on, Arthur.</p> <p>17 MR. BUTCHER: I don't place people.</p> <p>18 MR. MULLINS: An agreement was made. When</p> <p>19 you placed me, you agreed.</p> <p>20 MR. QUEEN: This is my question. It's an</p> <p>21 open investigation, right, Bryan?</p> <p>22 MR. BUTCHER: Yep.</p> <p>23 MR. QUEEN: Okay. During an open</p> <p>24 investigation for say for, you know --</p> <p>25 MR. BUTCHER: For the statement he made</p>
<p style="text-align: right;">Page 110</p> <p>1 MR. MULLINS: We're professionals.</p> <p>2 MR. BUTCHER: No, it's not my professional.</p> <p>3 You said you're harassed today. I'm going to have you</p> <p>4 sign --</p> <p>5 MR. MULLINS: It is your profession, Mr.</p> <p>6 Butcher.</p> <p>7 MR. BUTCHER: Absolutely not.</p> <p>8 MR. MULLINS: It's in your power.</p> <p>9 MR. BUTCHER: Absolutely not.</p> <p>10 MR. MULLINS: You are the Labor rep.</p> <p>11 MR. BUTCHER: I have zero power.</p> <p>12 MR. MULLINS: The supervisor said --</p> <p>13 MR. BUTCHER: All I do is collect the</p> <p>14 facts.</p> <p>15 MR. MULLINS: The supervisor said that</p> <p>16 you're making the decision. So Mr. Rinehart --</p> <p>17 MR. BUTCHER: What supervisor?</p> <p>18 MR. MULLINS: Mr. Rinehart.</p> <p>19 MR. BUTCHER: Mr. Rinehart is not a</p> <p>20 supervisor, sir.</p> <p>21 MR. MULLINS: What is Mr. Rinehart's</p> <p>22 position?</p> <p>23 MR. QUEEN: Senior process coach.</p> <p>24 MR. MULLINS: Senior process coach.</p> <p>25 MR. QUEEN: Area manager. They're the same</p>	<p style="text-align: right;">Page 112</p> <p>1 Friday.</p> <p>2 MR. QUEEN: Yes, okay. So if there's an</p> <p>3 open investigation on that, would it not make sense to</p> <p>4 maybe ask them to put him in a different, you know, in</p> <p>5 the East?</p> <p>6 MR. MULLINS: In a safe working</p> <p>7 environment.</p> <p>8 MR. BUTCHER: I'm not asking them anything.</p> <p>9 He didn't pose a threat when he walked in here Friday.</p> <p>10 He said no one harassed him that day.</p> <p>11 MR. MULLINS: I did say someone harassed me</p> <p>12 on the 26th.</p> <p>13 MR. BUTCHER: You said somebody drove up on</p> <p>14 a truck. We're investigating why that person drove up</p> <p>15 on their hi-lo. Were they authorized to be there or</p> <p>16 not.</p> <p>17 MR. MULLINS: And they --</p> <p>18 MR. BUTCHER: Can I speak, or no?</p> <p>19 MR. MULLINS: Yes, sir. Please give me my</p> <p>20 time on this. Yes, sir.</p> <p>21 MR. BUTCHER: Let me know when you're done.</p> <p>22 MR. MULLINS: I'll wait for you to inform</p> <p>23 me it is my time to talk.</p> <p>24 MR. BUTCHER: Great. He said somebody</p> <p>25 harassed him today, Dan. You heard it. I was very</p>

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1 direct in my question.
 2 MR. QUEEN: No.
 3 MR. BUTCHER: Did somebody harass you
 4 today? He said yes.
 5 MR. QUEEN: They didn't come up to you and
 6 harass you.
 7 MR. MULLINS: I didn't say yes, Mr.
 8 Butcher.
 9 MR. QUEEN: He just said it's an ongoing.
 10 MR. BUTCHER: Ongoing today was his answer.
 11 MR. MULLINS: Today harassment is still
 12 ongoing, yes, sir.
 13 MR. BUTCHER: So did they harass you today?
 14 MR. MULLINS: Harassment is ongoing.
 15 MR. BUTCHER: Did they harass you today?
 16 MR. MULLINS: I don't know why you're not
 17 taking my statement. I'll speak clearly. Ongoing
 18 today. Harassment is ongoing today.
 19 MR. BUTCHER: That is not an answer, Dan.
 20 I want to help, but he won't answer.
 21 MR. MULLINS: That is a very direct answer,
 22 sir.
 23 MR. QUEEN: I think he asked you, did they
 24 come up to you and --
 25 MR. MULLINS: I am in the middle of ongoing

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1 MR. MULLINS: I'm waiting for it.
 2 MR. BUTCHER: Okay. So let's do this
 3 formally. It's an investigatory interview. You're
 4 reporting harassment today. All of us here today are
 5 to remain -- maintain confidentiality. Breaches of
 6 the confidentiality may lead to disciplinary action.
 7 You cannot record this conversation. We expect that
 8 your answers will be forthright to your responses and
 9 questions. Afterwards, I'll ask you to review the
 10 statement and initial each page. Okay? This
 11 discussion is considered a matter of company record.
 12 Is it true, Arthur Mullins, your service
 13 date is 3-16 of '15? Is that true?
 14 MR. MULLINS: We didn't address the initial
 15 brief that you gave for the rules of the
 16 investigation.
 17 MR. BUTCHER: What's to address? They're
 18 the rules. It's not a rebuttal. It's just the rules.
 19 You can't record it. It's to remain confidential.
 20 You're expected to be forthright and truthful in your
 21 responses.
 22 MR. MULLINS: The opening sentence was?
 23 MR. BUTCHER: All of us here today are
 24 required to maintain confidentiality.
 25 MR. MULLINS: And the next sentence?

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1 harassment.
 2 MR. BUTCHER: Were you harassed today?
 3 MR. MULLINS: Today. I'm in the middle of
 4 ongoing harassment today, yes, sir, Mr. Butcher.
 5 MR. QUEEN: If you're saying that they came
 6 up to you and harassed you today --
 7 MR. MULLINS: I didn't say they came up to
 8 me today.
 9 MR. BUTCHER: Were you harassed today? Is
 10 the answer yes or no?
 11 MR. MULLINS: I didn't say that.
 12 MR. BUTCHER: You have two choices. You
 13 have yes or you have no.
 14 MR. MULLINS: Mr. Butcher, you cannot tell
 15 me what my answers are.
 16 MR. BUTCHER: Were you harassed today?
 17 MR. MULLINS: Mr. Butcher --
 18 MR. BUTCHER: You have yes or no.
 19 MR. MULLINS: Mr. Butcher --
 20 MR. BUTCHER: Were you harassed today?
 21 MR. MULLINS: So you're going --
 22 MR. BUTCHER: Were you harassed today?
 23 MR. MULLINS: When is my time to talk?
 24 MR. BUTCHER: I haven't told you that yet,
 25 have I?

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1 MR. BUTCHER: I'm not reading the whole
 2 thing again, Arthur. What's your question?
 3 MR. MULLINS: The conversation may not be
 4 recorded?
 5 MR. BUTCHER: Correct.
 6 MR. MULLINS: I'm trying to understand the
 7 rules and regulations, Mr. Butcher. Mr. Butcher, I
 8 brought zero tolerance to you today of sexual
 9 harassment.
 10 MR. BUTCHER: And I'm trying to address it,
 11 but you don't allow me --
 12 MR. MULLINS: Mr. Butcher --
 13 MR. BUTCHER: You won't allow me to address
 14 it. I have a witness. Were you harassed today? You
 15 won't even answer the question. Ongoing today.
 16 Dan, please interpret what does that mean,
 17 ongoing today? I'm looking for a yes or no. Also, it
 18 ended yesterday?
 19 MR. QUEEN: (Inaudible).
 20 MR. BUTCHER: So it ended yesterday?
 21 MR. QUEEN: (Inaudible).
 22 MR. BUTCHER: He doesn't know. Nobody
 23 knows.
 24 MR. MULLINS: Mr. Butcher -- would you
 25 please ask Mr. Butcher --

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<p style="text-align: right;">Page 117</p> <p>1 (Audio pauses.)</p> <p>2 MR. DAVIS: For the record, I think we went</p> <p>3 past the 49:04 that Mr. Laurila started with.</p> <p>4 BY MR. DAVIS:</p> <p>5 Q. So Mr. Butcher, is that the rest of the audio where</p> <p>6 Mr. Mullins and Mr. Queen, part of the time at least,</p> <p>7 was present in the room with you?</p> <p>8 A. It was at least another portion of that incident, yes.</p> <p>9 Q. Okay. And let me ask you one question, look at</p> <p>10 Exhibit Number 1. I'm sorry. Look at Exhibit Number</p> <p>11 2. Would you read the paragraph in italics underneath</p> <p>12 the caption there, where it starts all of us here</p> <p>13 today?</p> <p>14 A. Read it?</p> <p>15 Q. Yes, just read that out loud.</p> <p>16 A. All of us here today are required to maintain</p> <p>17 confidentiality. This conversation may not be</p> <p>18 recorded and is to remain confidential. Breaches of</p> <p>19 confidentiality may lead to disciplinary action. You</p> <p>20 may not discuss it with anyone other than those</p> <p>21 individuals conducting the investigation. The</p> <p>22 expectation is that you'll be honest and forthright in</p> <p>23 your responses to the questions. I will be taking</p> <p>24 notes. Afterwards, I will ask you to review your</p> <p>25 statement, initial each page, and sign your name on</p>	<p style="text-align: right;">Page 119</p> <p>1 this is Bate stamped Ford slash Mullins 01139 and</p> <p>2 01140, for the record.</p> <p>3 A. Complete.</p> <p>4 Q. Is this the Unusual Behavior Form that you testified</p> <p>5 earlier that you had filled out?</p> <p>6 A. Yes.</p> <p>7 Q. What was the date that you filled it out?</p> <p>8 A. I believe we did it the morning of the 2-9 hearing.</p> <p>9 Q. Why don't you turn to the second page of the report?</p> <p>10 Is that your signature there?</p> <p>11 A. It is.</p> <p>12 Q. And is that your I.D., your CDSID?</p> <p>13 A. Yes.</p> <p>14 Q. Company I.D.?</p> <p>15 A. Yes, yes.</p> <p>16 Q. And what's the date there?</p> <p>17 A. 2-9 of '18.</p> <p>18 Q. So that's the date you would have signed this?</p> <p>19 A. Yes.</p> <p>20 Q. Okay. Look at the last sentence in the paragraph on</p> <p>21 that last page, and read it out loud.</p> <p>22 A. The Labor Relations team is requesting a full</p> <p>23 fit-for-duty examination, including an examination of</p> <p>24 his mental state.</p> <p>25 Q. So is it fair to say that Labor Relations always was</p>
<p style="text-align: right;">Page 118</p> <p>1 the last page.</p> <p>2 Q. So is this -- again, you told Mr. Mullins this during</p> <p>3 the portion of the tape we just listened to, correct?</p> <p>4 A. Yes.</p> <p>5 Q. Is it true or false that he is supposed to give honest</p> <p>6 and forthright responses to your questions?</p> <p>7 A. Yes.</p> <p>8 Q. Was he doing that in the audio that you listened to?</p> <p>9 A. No.</p> <p>10 Q. Okay. Was that part of the frustration that you had</p> <p>11 explained --</p> <p>12 A. Yes.</p> <p>13 Q. -- in your earlier testimony?</p> <p>14 You were asked about the Unusual Behavior</p> <p>15 Report. I'm going to hand you what I will mark as</p> <p>16 defense Exhibit A, I guess.</p> <p>17 MARKED BY THE REPORTER:</p> <p>18 DEPOSITION EXHIBIT A</p> <p>19 1:55 p.m.</p> <p>20 BY MR. DAVIS:</p> <p>21 Q. Mr. Mullins, take a look at what I've handed you</p> <p>22 marked as Exhibit A, defense Exhibit A. And when</p> <p>23 you're done taking a look at it, let me know that</p> <p>24 you've completed reading it.</p> <p>25 While you're reading, just for the record,</p>	<p style="text-align: right;">Page 120</p> <p>1 requesting that a mental health -- an examination of</p> <p>2 Mr. Mullins' mental state be part of his fit-for-duty</p> <p>3 as early as 2-9-2018?</p> <p>4 A. Yes.</p> <p>5 Q. That was always the intention?</p> <p>6 A. Yes.</p> <p>7 Q. Did that intention ever change at some point where you</p> <p>8 wanted to do something less than a mental health</p> <p>9 screening, but it somehow expanded thought -- strike</p> <p>10 that.</p> <p>11 So was it always the intention from the</p> <p>12 time you filled out this report that Mr. Mullins have</p> <p>13 a fit-for-duty with mental health evaluation?</p> <p>14 A. Yes.</p> <p>15 Q. Okay. I'm going to hand you a document.</p> <p>16 MR. DAVIS: Off the record for one second.</p> <p>17 (Off the record at 2:00 p.m.)</p> <p>18 (Back on the record at 2:01 p.m.)</p> <p>19 MR. DAVIS: We can go back on.</p> <p>20 I'm going to -- I'll ask counsel. There's</p> <p>21 only one portion of a long e-mail chain that's not</p> <p>22 otherwise relevant. I would just like to use the</p> <p>23 e-mail at the bottom of the chain. If you want the</p> <p>24 whole document, I'm willing to do that.</p> <p>25 MR. LAURILA: Can I look at it first?</p>

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Bryan Butcher

10/15/2019

<p style="text-align: right;">Page 121</p> <p>1 MR. DAVIS: Yes. I just want to use this</p> <p>2 e-mail. If you want the whole thing --</p> <p>3 MR. LAURILA: I'm familiar with it. You</p> <p>4 can use it.</p> <p>5 MR. DAVIS: Okay. So I'm going to mark as</p> <p>6 -- for the record, I'll just indicate this is</p> <p>7 Ford/Mullins 00946 and 00947. I'd like to mark these</p> <p>8 two pages as defense Exhibit B.</p> <p>9 Counsel, you have your copy.</p> <p>10 MARKED BY THE REPORTER:</p> <p>11 DEPOSITION EXHIBIT B</p> <p>12 2:01 p.m.</p> <p>13 BY MR. DAVIS:</p> <p>14 Q. I'm going to direct you to the bottom e-mail. It's</p> <p>15 the one that's dated Thursday, February 1st, 2018 from</p> <p>16 Maria Watson to a number of people. Do you see that?</p> <p>17 Take a look at that e-mail, Mr. Butcher, and then I'll</p> <p>18 have a question or two.</p> <p>19 A. Complete.</p> <p>20 Q. Okay. There's more on the next page.</p> <p>21 A. Complete.</p> <p>22 Q. This exhibit, defense Exhibit B, is an e-mail from</p> <p>23 Maria Watson to Ford Medical and you were copied on</p> <p>24 it, correct?</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 123</p> <p>1 MR. MULLINS: Of today.</p> <p>2 MR. BUTCHER: Oh, okay. What actions did</p> <p>3 they --</p> <p>4 I want you to hear this, Dan. What actions</p> <p>5 did they do today?</p> <p>6 MR. MULLINS: Today their presence in the</p> <p>7 workforce one hundred feet from my assigned work</p> <p>8 station, assigned by management, upheld by Labor,</p> <p>9 places me in ongoing fear for my job, my safety,</p> <p>10 because -- because all former complaints were false,</p> <p>11 and I have been punished yet and still.</p> <p>12 MR. BUTCHER: So you're talking about</p> <p>13 something other than today?</p> <p>14 MR. MULLINS: Today.</p> <p>15 (Audio concludes.)</p> <p>16 MR. DAVIS: And you can stop.</p> <p>17 BY MR. DAVIS:</p> <p>18 Q. Mr. Butcher, you testified that you believe that it</p> <p>19 was in between the portion where you spoke, where you</p> <p>20 said, I want to you hear this, Dan, and when Mr.</p> <p>21 Mullins starts to give his answer, you said that was</p> <p>22 the time you believe that Mr. Mullins had lightly said</p> <p>23 or mouthed "fuck you, bitch" to you, correct?</p> <p>24 A. Correct.</p> <p>25 Q. Is there anything else you hear on that audio that</p>
<p style="text-align: right;">Page 122</p> <p>1 Q. And does that e-mail corroborate your testimony from</p> <p>2 earlier that Ford had observed -- people at Ford,</p> <p>3 including yourself and Maria Watson, had observed</p> <p>4 unusual behaviors by Mr. Mullins even prior to the 2-2</p> <p>5 incident and than an Unusual Behavior Report had been</p> <p>6 completed as a result?</p> <p>7 A. Correct.</p> <p>8 Q. And one last thing. I'm going to ask Mr. Laurila one</p> <p>9 last time to go to his audio. And this time I'm going</p> <p>10 to ask you to tee it up to -- just for the record, I'm</p> <p>11 going to ask you Mr. Laurila to go to about one hour,</p> <p>12 four minutes, and six seconds.</p> <p>13 But before we play it, I'm going to play</p> <p>14 again the part that when you were discussing with Mr.</p> <p>15 Laurila, you said this is where you think Mr. Mullins</p> <p>16 had mouthed, lightly said "fuck you, bitch" to you.</p> <p>17 Okay. So we're going to listen to that</p> <p>18 sequence and then I'll have a couple of questions</p> <p>19 about it, okay?</p> <p>20 MR. DAVIS: So Andrew, if you can go ahead,</p> <p>21 it should start right at 1:04:06. But a few seconds</p> <p>22 behind it is better than a few seconds after.</p> <p>23 (Audio resumes.)</p> <p>24 MR. BUTCHER: What happened today? You</p> <p>25 have details of today?</p>	<p style="text-align: right;">Page 124</p> <p>1 leads you to conclude that that was the moment that it</p> <p>2 happened?</p> <p>3 A. There's only one instance where I opened my desk</p> <p>4 drawer, and it was to write down on a scrap piece of</p> <p>5 paper exactly what he had said so that I didn't lose</p> <p>6 that moment.</p> <p>7 Q. And you could hear on that audio the sound of your</p> <p>8 cabinet being opened?</p> <p>9 A. In that audio I can hear the drawer to my cabinet</p> <p>10 being opened.</p> <p>11 Q. And you would agree with me that was a rather lengthy</p> <p>12 pause in between when you asked that question and when</p> <p>13 Mullins started to speak, correct?</p> <p>14 A. Correct.</p> <p>15 Q. Dan Queen wasn't in the room during that portion of</p> <p>16 the discussion?</p> <p>17 A. Correct.</p> <p>18 Q. Did Mr. Mullins make a statement "fuck you, bitch" in</p> <p>19 a way that you believe would be loud enough to be</p> <p>20 captured on an audio recording?</p> <p>21 A. I do not believe it would be.</p> <p>22 Q. And you didn't know you were being recorded at that</p> <p>23 time?</p> <p>24 A. I did not.</p> <p>25 Q. And Mr. Mullins' counsel just represented he did know</p>

31 (Pages 121 to 124)

Tri-County Court Reporters
248-608-9250

Initial: 



INVESTIGATORY INTERVIEW

Date/Time: 1/26/2018
Location: DSP, Labor Relations
Interviewer(s): Bryan Butcher – Labor Relations
Interviewee: Arthur Mullins – Employee
Aaron Patrick – UAW

GID - 002008718

All of us here today are required to maintain confidentiality. This conversation may not be recorded and is to remain confidential. Breaches of confidentiality may lead to disciplinary action. You may not discuss it with anyone other than those individuals conducting the investigation. The expectation is that you will be honest and forthright in your responses to the questions. I will be taking notes. Afterwards, I will ask you to review your statement, initial each page and sign your name on the last page.

This discussion is considered a matter of Company record.

Please provide your full name and Ford Service Date.
Arthur Mullins/ 3.16.15

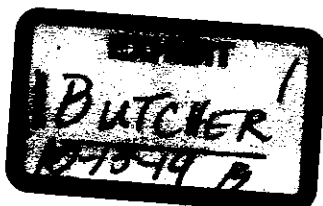
What is your classification?
MP&L/ Production

What shift/crew are you on?
C Crew

Who is your supervisor?
I don't have one. Due to the ongoing challenges I have been moved too many times to name a specific supervisor.

Please tell me why here today? Did something specific happen today?

Today as you're aware MR. Butcher is my first day returning from a medical leave. Medical instructed me to come to you due to the extent of my medical leave. I arrived to work followed the instructions of medical reported to labor per medicals instructions per Bryan Butcher, labor, Quote do you know where to report? Yes was my response. I reported to the last place I was employed which was east. I was assigned east by Chris Sanders, Karmel Bramlett and Bryan Butcher. Upon arriving to my assigned station I was asked to wait for a specific team leader that team leader immediately gave me to a production supervisor who immediately took me to Karmel that assigned me to line K24 Karmel is the same supervisor that sat present the day the agreement was made for me to go to east. And in that same day when I told her I fear for my safety for sexual harassment she stated she did not know what to do and handed me off to another supervisor. She immediately passed me off to Dennis Halleck. He heard my concerns of sexual harassment and retaliations and a list of others. He immediately sent me to labor. While waiting in labor for my committeeman I was approached by supervisor Karmel I was told that I'm being put on notice for failure to work. That was immediately resolved in the agreement with Chris Sanders in my new assignment to east. Chris is fully aware of the ongoing sexual harassment and retaliation. Stating that we would be separated until concerns were resolved at the next level. All four parties agreed and I was sent to east. However, these challenges are still ongoing and now being forced on west back in harms way.



Initials 

What is the act of threat that you are bringing to Labor relations today?

On going retaliation and sexual harassment regarding employee in my current work assignment.

Who is the culprit of the sexual harassment?

Crystal Perry. Shavonda, she's a team leader for C crew MP&L. She's east basement.

What did Crystal do that was sexually harassing?

She's passed threats & rumors of incest, violence and retaliation ongoing. Made false statements in labor that had cost me my assignment and job placement.

What did Shavonda do that was sexually harassing?

Shavonda has placed her elbow in my crouch, spread the rumor of incest and today was already at my assigned workstation although she is engine basement employee, and I am currently assigned to east but being forced back in harms way by management.

Who gave you your work assignment today?

Bryan Butcher

What job did you report to that Shavonda appeared at?

The job I was forced place, by west management. By west supervisor.

What is it called?

Sword job at K24.

How did you get there?

I was taken by production supervisor from east to west.

What was that persons name?

Brant Wilson.

How did Crystal retaliate against you?

She made malicious lies about my cousin & myself of assault, incest and subsequently both our jobs were taken due to her false statements.

How did Shavonda retaliate against you?

In the 15 min. I had been on my forced assignment Shavonda had been to my work station twice stopping directly in front of my work station all traffic clear and started to intimidate me with cold stares.

How long were you on the job before Shavonda appeared?

10 min. 15 min. max.

Did she say anything to you?

No.

Did she touch you?

No.

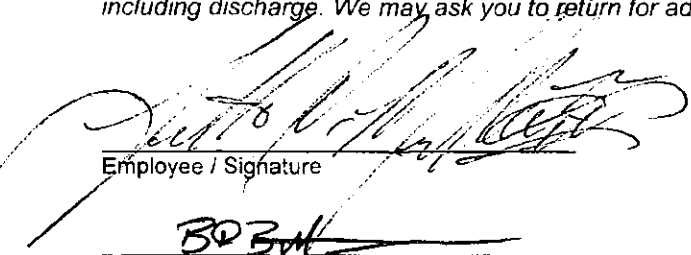
Anything else you wish to add?

Extremely disappointed in the way concerns of this magnitude have been overlooked and minimized by management at the supervisor level for Ford and Labor. And after I have brought all of my concerns of safety fear intimidation it is the professional opinion of Bryan Butcher for me

Initial: 

to work in the same areas as Shavonda and Crystal and refused union's request as well as my own to please place me somewhere safe. Thank You.

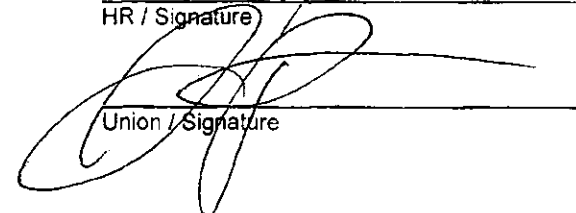
Thank you for participating in this investigation. This investigation is ongoing. Any information involved in this investigation is strictly confidential. You may not talk with anyone about your statement, people involved or anything else regarding the investigation. In addition, you are advised retaliation is strictly prohibited and may subject you to disciplinary action up to and including discharge. We may ask you to return for additional questioning.


Employee / Signature

01/26/2018
Date


HR / Signature

1/26/18
Date


Union / Signature

1-26-18
Date

Initial: _____



INVESTIGATORY INTERVIEW

Date/Time: 2/2/2018
Location: DSP, Labor Relations
Interviewer(s): Bryan Butcher – Labor Relations
Interviewee: Arthur Mullins – Employee GID - 002008718
Dan Queen - UAW

All of us here today are required to maintain confidentiality. This conversation may not be recorded and is to remain confidential. Breaches of confidentiality may lead to disciplinary action. You may not discuss it with anyone other than those individuals conducting the investigation. The expectation is that you will be honest and forthright in your responses to the questions. I will be taking notes. Afterwards, I will ask you to review your statement, initial each page and sign your name on the last page.

This discussion is considered a matter of Company record.

Please provide your full name and Ford Service Date.
Arthur Mullins/ 3.16.15

Were you harassed today?
Yes ongoing today.

Have you been threatened today?
Yes on going today.

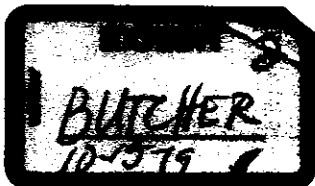
Who is threatening & harassing you today?
Today Shavonda Willimas, Crytal Perry, Kimmy & I do not know her last name.

What actions did they take today that made you feel threatened & harassed?
Today their presence in the work force 100 feet from my assigned work station. Assigned by management upheld by labor places me in ongoing fear for my job my safety, because all former complaints were false to date.

Thank you for participating in this investigation. This investigation is ongoing. Any information involved in this investigation is strictly confidential. You may not talk with anyone about your statement, people involved or anything else regarding the investigation. In addition, you are advised retaliation is strictly prohibited and may subject you to disciplinary action up to and including discharge. We may ask you to return for additional questioning.

Employee / Signature

Date



Initial: _____

HR / Signature

Date

Union / Signature

Date

On the shift of 2/2/18 at approximately 7:00 a.m. I returned to the labor relations office (LRO) from completing a floor investigation. When I arrived Dan Queen, Alternate Committee representative, and Arthur Mullins were waiting in the lobby for assistance. They came into my office and began to ask me if Arthur could be moved to east side assembly from his west assembly assignment. I explained to them that I do not place manpower and I was not making a manpower move. I then asked Arthur to leave the LRO office so I could speak privately with Dan. I wanted to bring Dan up to speed that we were repeating similar actions with Arthur from one week prior. The last three days Arthur worked, he has come to labor and requested to be reassigned. I concluded with Dan and Labor Rep., Shine Joseph, came into my office stating that our Supervisor, Maria Watson, was trying to get in touch with me.

I stepped outside to call her back on my cell phone. When I returned Dan and Arthur met me in the lobby stating there was a threatening situation that occurred today warranting Arthur's request. I brought them back into LRO where I asked Arthur if he was threatened today. He said "yes ongoing & repeatedly." I said OK. I looked at Dan and said I am going to take his statement and I will bring all parties in and start suspending anyone who has taken part in threatening behaviors. Dan then cautioned him from providing any erroneous statements about events or coworkers. When we sat down to take the statement things began to get erratic. Arthur would not answer any question directly, he kept wanting to talk about historical events that he has already provided to HR/LR office. During discussions, he repeatedly acted like he was not given a chance to speak and state his case. I tried to keep it on track by talking about today only. Dan too, tried to keep him on track covering only today's events, nothing was working. Arthur continued to say he was being threatened. When I asked, "Have you been threatened today?" Arthur took an extremely long pause and finally replied "Yes. Ongoing today." I asked who was threatening him and he took another long pause and looked to the ground and then provided the names of Shavonda Williams, Crystal Perry, and Kimmy whom he does not know her last name. I asked what actions they took that he wanted to report as threatening. He said they were 100 feet from his job and fears for his safety and his job and former complaints were false. I was unsure what he meant and he could not describe it.

I printed his statement and he refused to sign it claiming it was incomplete and not recorded accurately. Dan reminded him that he did in fact say the things I had captured. Arthur wanted more topics covered and I told him I was only concerned with the immediate threat and needed to identify the source in order to help him. I explained that it was not an open forum to talk to Dan about other topics and we needed to focus on today's threat. Arthur began to accuse the company of not helping him with his claims. I went on to state that the only thing standing in the way of him being helped is him answering my question directly as yes or no to being threatened and then naming the individuals who were threatening him. When I said this he pursed his lips, sweat began to bead up on his nose, and his cheek between his nose and his eye flickered while he cut his eyes at me. He then clenched his fists and looked down at the ground. I finally told Dan if he cannot identify the threat and it's nature I'm going to send him back to work and put him on notice.

During this time, Dan appeared uneasy and continued to pace from the outer lobby back into my office. As Arthur began to make claims of twisting his words and not properly recording what he stated I asked Dan several times to come back into the room to verify what I was recording. The last time Dan stepped out Arthur leaned into my desk and with pursed lips and gritted teeth Arthur lightly said "Fuck you, bitch." I turned away and wrote down exactly what he

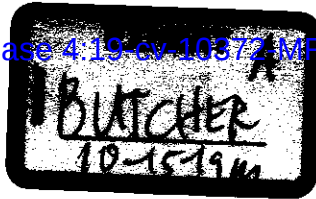
said. As this happened, Dan walked back into my office. I stood up said this meeting is over. I looked at Dan and said when you stepped out Arthur said, "Fuck you, bitch," to me. I'm suspending him. I need him to leave and he is not to return until contacted. Arthur began to call on Dan and state that he never said that. He stood up and turned to the door to exit my office. Then suddenly at the threshold turned back into the office with his arms flexed and took a hard step toward me. I stepped back away from him and said Dan "You better get him." Arthur stopped after the initial hard step and exited again, but lingered in the waiting area. Dan became angry and started to posture telling me he never heard him say that and he could hear everything said in the office. I told him it was time to go and not to do this here. He then told me not to do this here. I then said last chance to walk out on your own. I'm going to start making calls to have you both escorted out.

They then walked out and went to the committee offices. I verified this by taking Process Coach Everett Holland with me to see if Arthur left the premises and we watched them go into the committee offices. I then called security to see if they could have him removed from the premises and they said it would be difficult, as he has taken refuge in the committee room.

A handwritten signature in black ink, appearing to read "Bryan Butcher", with a long horizontal flourish extending to the right.

Bryan Butcher

Labor Relations Representative



Addressing Unusual Behavior in the Workplace

Single Point Lesson for Supervisors

UNUSUAL BEHAVIOR CHECKLIST

GID 002008718 Employee Name: Arthur Mullins

Date of Observation Multiple Date(s) Time: From Start of Shift AM PM to End of Shift AM PM

Location (Department, Unit and Station) Dearborn Stamping Plant

Observed Personal Behavior: (check all appropriate items)

1. Speech:

Normal	<input checked="" type="checkbox"/>	Incoherent	<input checked="" type="checkbox"/>	Confused	<input checked="" type="checkbox"/>	Silent	<input type="checkbox"/>
Slurred	<input type="checkbox"/>	Rambling	<input checked="" type="checkbox"/>	Talkative	<input checked="" type="checkbox"/>	Rapid	<input type="checkbox"/>
Loud	<input type="checkbox"/>	Whispering	<input type="checkbox"/>	Slobbering	<input type="checkbox"/>	Slow	<input type="checkbox"/>

2. Balance:

Normal	<input checked="" type="checkbox"/>	Swaying	<input type="checkbox"/>	Staggering	<input type="checkbox"/>	Falling	<input type="checkbox"/>
Rigid	<input type="checkbox"/>	Unable to stand	<input type="checkbox"/>	Feet wide apart	<input type="checkbox"/>	Sagging	<input type="checkbox"/>

3. Walking and Turning:

Normal	<input checked="" type="checkbox"/>	Stumbling	<input type="checkbox"/>	Swaying	<input type="checkbox"/>	Falling	<input type="checkbox"/>
		Reaching for Support	<input type="checkbox"/>	Arms Raised for Balance	<input type="checkbox"/>		

4. Awareness:

Normal	<input type="checkbox"/>	Confused	<input checked="" type="checkbox"/>	Hallucinations	<input type="checkbox"/>	Paranoid	<input checked="" type="checkbox"/>
Illogical	<input checked="" type="checkbox"/>	Lack of Concentration	<input checked="" type="checkbox"/>	Sleepy or Stupor	<input type="checkbox"/>		
Inappropriate Laughing or Crying	<input type="checkbox"/>			Angry/Hostile/Uncooperative	<input checked="" type="checkbox"/>		
Restless/Purposeless Activity	<input checked="" type="checkbox"/>			Erratic feelings/behavior	<input checked="" type="checkbox"/>		

5. Physical:

Excessive Sweating	<input type="checkbox"/>	Chills/Tremors	<input type="checkbox"/>	Dilated Pupils	<input type="checkbox"/>
Blood-shot Eyes	<input type="checkbox"/>	Irregular Breathing	<input type="checkbox"/>	Glassy Eyes	<input type="checkbox"/>
Red/Flushed/Pale	<input type="checkbox"/>	Fumbling	<input type="checkbox"/>	Breath Smells of Alcohol	<input type="checkbox"/>

6. Other Actions or Observed Behaviors

Mr. Mullins has been in HR/LR multiple times since September 2017. Mr. Mullins continually complains of being harassed / discriminated against, yet when pressed to provide examples he provides responses that do not answer the questions at hand. Mr. Mullins has been in Labor Relations multiple times complaining of being fear for his life, yet again, when asked to provide examples he states that other employees are looking at him. He confirms they do not approach, talk to, or gesture (non verbal communication) toward him to support the claim. On 2/2/18, Mr. Mullins was in LR to let the LR Representative know he was being harassed and feared for his life. When asked questions to support the claim that would allow LRO to investigate, Mr. Mullins demeanor changed from extremely paranoid to angry / threatening. After approximately 40 minutes and being asked to provide answers to the questions at hand, Mr. Mullins dropped his head, his nose began to sweat, the cheek area below his eye began to twitch and he looked up in an aggressive, threatening manner and said "uck you 'itch" to the LR Representative (Bryan Butcher). The Alternate UAW District Representative was not in the room at this time, yet upon reentry, Mr. Mullins' attitude reverted very quickly to paranoid and a near crying emotional state. Mr. Mullins was suspended immediately and asked to leave the property. Before exiting the office, Mr. Mullins demeanor changed again to one of aggression and he assumed a "Hulk Hogan pose," arms at each side, but flexed muscles and took a step toward the UAW representative. The erratic behavior has been ongoing with floor management as well. The concern for the quick shifts in mood are concerning to those working with him and create a level of fear and hostility.



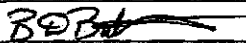
Addressing Unusual Behavior in the Workplace

Single Point Lesson for Supervisors

The HR Team is concerned for his well-being and mental state. The LR Team is concerned for both Mr. Mullins and for the employees (hourly and salaried) that work around him or with him. The LR Team is requesting a full Fit for Duty examination, including an examination of his mental state.

Dates: 9/8/17, 1/26/18, 2/2/18

The Above Behavior Witnessed by:

	B Batche2	2/9/18
NAME	NAME	DATE

Completed form to retained by the Medical Department